ELECTRONICALLY FILED
7/28/2026 9:51 PM
01-CV-2026-903312.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BIRMINGHAM DIVISION

KEN McFEETERS, Plaintiff, v. THOMAS HAWLEY TUBERVILLE, individually and in his official capacity as the certified nominee of the Alabama Republican Party for the office of Governor; and WESLEY HARRISON ALLEN, in his official capacity as Secretary of State of Alabama, Defendants.	)	Civil Action No.: 01-CV-2026-_____ JURY TRIAL DEMANDED

VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT,

INJUNCTIVE RELIEF, AND JUDICIAL ESTOPPEL

COMES NOW Plaintiff Ken McFeeters, appearing pro se and reserving the right to engage limited-scope representation for depositions and trial on the merits, and files this Complaint for Declaratory Judgment under Alabama Code Sections 6-6-220 through 6-6-232, Injunctive Relief, and Judicial Estoppel based on Defendant Tuberville's own sworn and notarized statements to state and federal authorities both in the years immediately preceding the November 3, 2019 commencement of the constitutional seven-year window and continuously throughout that window, including (i) his sworn Walton County, Florida homestead exemption filings; (ii) his sworn September 23, 2019 Alabama Form 40 Part-Year Residents Individual Income Tax Return; (iii) his sworn Florida voter registration record and mail-in ballot cast from Walton County in the November 6, 2018 Florida General Election; (iv) his sworn Florida Class E driver license retained through February 20, 2023; (v) his personally signed and notarized July 22, 2025 Warranty Deeds transferring both Walton County, Florida parcels to the POB Revocable Trust, each reciting on its

face that the property is "not the homestead real property of Grantor," a mid-controversy 2025 disclaimer of Florida homestead status that stands in direct contradiction to Defendant Tuberville's 2018 sworn Florida homestead certification that Florida was his permanent residence as of the January 1, 2018 Florida homestead lien date; and (vi) his sworn testimony and admissions at the June 14, 2026 Alabama Republican Party Candidate Committee evidentiary hearing. This action seeks a Circuit Court declaration on the constitutional question that the closed party process held on June 14, 2026 was structurally incapable of resolving: whether Defendant Tuberville satisfies the seven-year continuous residency requirement of Article V, Section 117 of the Alabama Constitution.

The gravamen of Plaintiff's action is documentary and objective. In tax year 2018, Defendant Tuberville and his spouse Suzanne Marie Tuberville simultaneously claimed a Florida homestead exemption on their Gulf-front Walton County residence at 395 Old Beach Road, Santa Rosa Beach, Florida, a sworn certification under Florida Statute Section 196.031, 196.011, and 196.012(17) that Florida was their permanent residence as of the January 1, 2018 Florida lien date, while an Alabama H1 regular homestead exemption was also in place on the Auburn parcel at 379 Cherry Street covering the same tax year, attaching to the October 1 Alabama lien date. The Alabama H1 Application for the Cherry Street parcel was executed on May 10, 2017 by the parties' son Thomas Tucker Tuberville alone as an applicant sworn under penalty of perjury, following the March 30, 2017 Warranty Deed (Lee County Book 2508, Page 612) that conveyed the parcel to Thomas Tucker Tuberville and Suzanne Marie Tuberville as sole record owners; Suzanne Marie Tuberville did not personally sign the H1 Application. Under Ala. Code § 40-7-10, in force in identical form since 1957 and applicable at all times relevant to this Complaint, the May 10, 2017 H1 continued in force for each subsequent tax year through tax year 2024 without

any further sworn re-signature by any applicant ('Any person who has claimed a homestead exemption and is entitled to same shall be annually credited with such exemption . . . any provision of the law to the contrary notwithstanding.'). Under Ala. Admin. Code r. 810-4-1-.23(6), the resulting benefit inured to the entire household ('Property owned by a person who meets the criteria to claim a homestead or principal residence exemption shall receive the full exemption, whether the person is a joint owner or the sole owner.'), and the dual-state homestead tax reduction on the Cherry Street parcel accrued to Defendant Tuberville through the Tuberville marital community beginning with the October 1, 2017 Alabama lien date, and thereafter directly upon his May 7, 2024 addition to the deed of record as a co-grantee. By contrast, Defendant Tuberville held direct, personal, joint fee-simple title to the Old Beach Road, Santa Rosa Beach, Florida parcel by warranty deed dated July 31, 2012 (Walton County OR Book 2896, Page 2685), and added the adjacent 463 Ridge Road parcel by warranty deed dated July 7, 2023 (Walton County Instrument No. 20230024285, Book 3295, Page 1257), which recites his address on the face of the instrument as "395 Old Beach Road, Santa Rosa Beach, Florida 32459." The 463 Ridge Road parcel acquired by Defendant Tuberville by warranty deed dated July 7, 2023 is the same Santa Rosa Beach, Florida residential address of record reflected in the certified Intelius report for his son Thomas Tucker Tuberville from June 1, 2023 to the date of Plaintiff's verification of this Complaint, a period of over three years and one month that falls entirely inside the constitutional seven-year residency window running from November 3, 2019 to November 3, 2026, and that documents a continuous Tuberville-family residential presence at 463 Ridge Road, Santa Rosa Beach, Florida throughout the final three-plus years of the constitutional window on which Defendant Tuberville's Alabama Article V, Section 117 eligibility must stand or fall. Across the constitutional seven-year window, the certified Intelius report for Thomas Tucker Tuberville

reflects zero days of 379 Cherry Street, Auburn, Alabama residential address association, and instead places Tucker Tuberville continuously outside Alabama, at 36 East 36th Street, Apartment 6B, New York, New York from September 24, 2019 through January 6, 2021, at 280 Park Avenue South, Apartment 4D, New York, New York from August 1, 2020 through March 28, 2023, and thereafter at 463 Ridge Road, Santa Rosa Beach, Florida from June 1, 2023 through the date of Plaintiff's verification of this Complaint, with only a sixty-four day gap between March 29, 2023 and May 31, 2023 corresponding to his relocation from New York City to the Tuberville-family Santa Rosa Beach parcel. The 2018 through 2019 New York City presence pre-dating the first Intelius residential entry is independently corroborated by his certified LinkedIn record, placing him at Sandler O'Neill + Partners, L.P. in New York City as Investment Banking Analyst from June 2018 through December 2019, and confirming that Thomas Tucker Tuberville was documentarily absent from 379 Cherry Street, Auburn, Alabama throughout the seven-year window on which Defendant Tuberville's Article V, Section 117 eligibility depends. Defendant Tuberville personally held direct title to Florida real property continuously from July 31, 2012 through July 22, 2025, a period of approximately thirteen years, of which five years, eight months, and nineteen days fall inside the constitutional seven-year residency window that runs from November 3, 2019 to November 3, 2026. During the same period, Defendant Tuberville remained an active Florida registered voter through March 20, 2020, cast a mail-in ballot in the November 6, 2018 Florida General Election from Walton County, and held an active Florida Class E driver license through February 20, 2023. On November 14, 2025, one hundred seventy-one days after his May 27, 2025 gubernatorial announcement, and five and a half months into the residency controversy, the Alabama H1 exemption on the Auburn parcel was reclassified to a senior H4 exemption, and the corresponding tax-year 2025 payment of $1,258.35 was posted on the Lee

County Property Record Card as paid on November 14, 2025. That November 14, 2025 filing is the first sworn Alabama primary-residence certification Defendant Tuberville has personally signed on the Cherry Street parcel of record.

Independently, third-party documentary corroboration under Alabama Rule of Evidence 803(17), with alternative footings under 803(6), 902(11), and 1006, in the form of Intelius aggregate public-records reports for the Tuberville family and a certified LinkedIn record for Thomas Tucker Tuberville, documents Defendant Tuberville's continuous 1516 Crossing Way, Auburn, Alabama documentary address association from January 1, 1999 through the date of Plaintiff's verification of this Complaint with no 379 Cherry Street address association on any date, Suzanne Marie Tuberville's twenty-year 395 Old Beach Road, Santa Rosa Beach, Florida documentary address association from February 1, 2005 through July 22, 2025, and Thomas Tucker Tuberville's April 12, 2017 through September 27, 2019 379 Cherry Street association during a period when his certified LinkedIn record placed him at Auburn University through December 2015, at the University of Cincinnati as Assistant Receivers Coach from May 2016 through December 2016, and at Sandler O'Neill + Partners in New York City as Investment Banking Analyst from June 2018 through December 2019. Because Defendant Tuberville affirmatively swore under Florida law that Florida was his permanent residence as of the January 1, 2018 Florida homestead lien date, Alabama law places on him the burden of proving that he affirmatively displaced his Florida domicile with a new Alabama domicile, and did so before November 3, 2019, through both actual physical inhabitancy of Alabama and the concurrent intent to remain. See Jacobs v. Ryals, 401 So. 2d 776, 778 (Ala. 1981); Whetstone v. State Dep't of Revenue, 434 So. 2d 796, 798 (Ala. Civ. App. 1983). Under settled Alabama law, the phrase "resident citizens" in Article V, Section 117 is coextensive with domicile: residence in connection

with political rights, eligibility for constitutional office, and the exercise of the franchise means legal residence, which means domicile. Mitchell v. Kinney, 242 Ala. 196, 203, 5 So. 2d 788 (1942); Ex parte Weissinger, 247 Ala. 113, 117, 22 So. 2d 510, 514 (1945). A person may hold several residences, but only one domicile. Sachs v. Sachs, 278 Ala. 464, 179 So. 2d 46, 48 (1965). Alabama domicile requires the concurrence of two elements: (1) actual, physical inhabitancy of Alabama, and (2) the concurrent intent to remain in Alabama indefinitely. Jacobs v. Ryals, 401 So. 2d 776, 778 (Ala. 1981); Ex parte Weissinger, 22 So. 2d at 514; Ala. Code Section 17-3-32 (elector domicile not lost by temporary absence, but only where actual physical residence and intent to return concur). Paper declarations of intent, deeds, tax filings, mailing addresses, and federal candidacy paperwork listing Alabama contact information are evidentiary factors only; they are neither individually nor collectively controlling of the domicile inquiry. Whetstone v. State Dep't of Revenue, 434 So. 2d 796, 798 (Ala. Civ. App. 1983). Where, as here, the party asserting a change of domicile has affirmatively sworn under the law of another state that the other state is his permanent residence, the Alabama presumption in favor of the original domicile is at its strongest, and the burden on the party asserting a change of domicile is at its heaviest. Jacobs v. Ryals, 401 So. 2d at 778; Whetstone, 434 So. 2d at 798. Defendant Tuberville's own sworn documentary record establishes that he did not carry that burden between January 1, 2019 and November 2, 2019, and did not thereafter maintain continuous physical inhabitancy of Alabama through the seven-year window that closes on November 3, 2026. The evidentiary record in support of this Complaint is set out in Exhibits 1 through 22, all of which are incorporated by reference in the numbered paragraphs that follow. Plaintiff pleads Count I for declaratory judgment under Alabama Code Section 6-6-222, Count II for injunctive relief against Defendant Allen, and Count III for judicial estoppel.

PARTIES

1. Plaintiff Ken McFeeters is a citizen of the State of Alabama, resident of Shelby County, registered voter, and maintains his principal place of business in Jefferson County. He was a candidate for the Office of Governor in the May 19, 2026 Alabama Republican Primary Election and has been actively engaged in Alabama Republican Party politics throughout the period relevant to this action.

2. Plaintiff has a direct, concrete, and particularized interest in whether the apparent winner of the May 19, 2026 Republican Primary Election satisfies the constitutional eligibility requirements for the office of Governor of Alabama. Plaintiff's competitive-injury standing rests on three independent legal sources. First, Plaintiff is a defeated primary candidate whose competitive standing in the May 19, 2026 primary was diluted by the participation of a candidate who was constitutionally ineligible to hold the office sought. Second, Plaintiff is a registered Republican voter whose General Election vote on November 3, 2026 will be affected by the certification or non-certification of Defendant Tuberville. Third, Plaintiff is an Alabama citizen with a recognized interest in the constitutional integrity of elections for constitutional office.

2A. Plaintiff's competitive-injury standing is fortified by the fact that Plaintiff has expended personal funds, time, and public reputation in reliance on the state and constitutional integrity of the primary election process, and by the fact that the outcome of that primary is directly affected by the eligibility of the candidate certified as the winner. Alabama has adopted the federal standing test set out in Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-561 (1992), requiring (i) a concrete and particularized injury in fact, (ii) fairly traceable to the challenged conduct, and (iii) redressable by a favorable decision. See Ex parte Aull, 149 So. 3d 582, 592 (Ala. 2014). Plaintiff satisfies each element. Plaintiff was a candidate on the May 19, 2026 Republican

primary ballot alongside Defendant Tuberville, expended personal funds and public reputation contesting that primary, and suffered a concrete competitive dilution and vote-dilution injury from the participation of a candidate who was not constitutionally eligible to hold the office sought. That injury is directly traceable to Defendant Tuberville's certification as the Republican nominee, and it is redressable by the declaratory and injunctive relief sought in this action. Plaintiff further asserts statutory standing under Alabama Code Section 6-6-223, which extends declaratory-judgment standing to any person "whose rights, status, or other legal relations are affected by a statute [or] constitutional provision."

3. Defendant Thomas Hawley Tuberville ("Tuberville" or "Defendant Tuberville") is a natural person currently asserting that he is the apparent winner of the May 19, 2026 Alabama Republican Primary Election for Governor of Alabama, and currently a United States Senator representing the State of Alabama. Defendant Tuberville was born September 24, 1954 in Camden, Arkansas. He is sued individually and in his official capacity as the certified nominee of the Alabama Republican Party for the Office of Governor.

4. Defendant Wesley Harrison Allen ("Defendant Allen") is the Secretary of State of Alabama and is named in his official capacity only. Defendant Allen is charged under Alabama law with the ministerial and administrative functions of preparing, certifying, and issuing the November 3, 2026 General Election ballot, including the authority to strike ineligible candidates from that ballot.

JURISDICTION AND VENUE

5. This Court has subject-matter jurisdiction under Alabama Code Sections 12-11-30 and 6-6-220 through 6-6-232 (Declaratory Judgment Act), and under the general equity jurisdiction of the Circuit Court. Jurisdiction is not defeated by Alabama Code Section 17-16-44, which governs

post-election election contests. This action is a pre-election declaratory action addressing constitutional eligibility for office. It is neither an "election contest" as that term is defined in the Election Contest statute, nor a challenge to a return of votes cast in the primary election. It is a Circuit Court declaratory action addressed to the constitutional eligibility of a certified party nominee to appear on the ballot in a General Election that has not yet occurred.

5A. This Court's jurisdiction is affirmatively confirmed by the July 9, 2026 order of the Honorable Brooke E. Reid, Circuit Judge of Montgomery County, Alabama, in State of Alabama ex rel. Brooke Lynn Dorgan and Justin Jude LeBlanc v. Thomas H. Tuberville, Case No. CV-2026-901053.00 (the "Reid Order"). The Reid Order dismissed the Dorgan and LeBlanc quo warranto petition on the narrow procedural ground that quo warranto under Alabama Code Section 6-6-590 is not procedurally available to challenge the constitutional eligibility of a certified party nominee who is not yet the holder of the office. The Reid Order expressly identifies declaratory judgment and injunctive relief as the available vehicles for a pre-election constitutional challenge of the kind pleaded here. Plaintiff has proceeded in this Court in reliance on the procedural roadmap identified in the Reid Order. **[Ex. 1]**

5B. A live, actual, and ripe controversy exists between Plaintiff and Defendants. Defendant Tuberville has declared his candidacy, is on track to be certified to the General Election ballot, and continues to represent, on official filings before the Alabama Secretary of State and in the Alabama Republican Party primary process, that he is a continuous seven-year Alabama resident. Plaintiff has been directly injured by that candidacy in the May 19, 2026 Primary. The August 19, 2026 statutory substitution deadline under Alabama Code Section 17-13-23 renders the controversy ripe and time-sensitive: after that date, the practical remedy of General Election ballot correction is substantially compromised. Plaintiff files this action promptly upon issuance

of the Reid Order and respectfully requests expedited consideration in light of the August 19, 2026 statutory substitution deadline set by Alabama Code Section 17-13-23 and the November 3, 2026 General Election date, on grounds that traditional post-election contest remedies under Alabama Code Section 17-16-44 will be substantially inadequate if the ballot is certified with a constitutionally ineligible nominee.

5C. Consistent with the expedited schedule pleaded in the Prayer for Relief below, Plaintiff proposes the following sequenced deposition schedule to complete factual development within the compressed pre-election window: Suzanne Marie Tuberville and Thomas Tucker Tuberville are proposed to be deposed as non-party witnesses under Alabama Rule of Civil Procedure 45 on Thursday, August 6, 2026, and Defendant Thomas Hawley Tuberville is proposed to be deposed as a party witness under Alabama Rule of Civil Procedure 30 on Friday, August 7, 2026. This sequence provides nine (9) days of Rule 45 notice to the non-party witnesses, completes all depositions ten (10) days after filing, and preserves twelve (12) days between the final deposition and the August 19, 2026 statutory substitution deadline under Alabama Code Section 17-13-23 for expedited transcript production, motion for summary judgment briefing, judicial ruling on the merits, and Secretary of State ministerial action. The relevance of each proposed deponent is grounded in the specific documentary facts pleaded in the paragraphs that follow: Suzanne Marie Tuberville as co-record-owner of the March 30, 2017 Cherry Street Warranty Deed and Manager of BYVW 211, LLC in connection with the February 1, 2005 395 Old Beach Road, Santa Rosa Beach, Florida association (¶¶ 14A-1, 14A-2, 14D); Thomas Tucker Tuberville as sole signatory of the May 10, 2017 Alabama H1 Regular Homestead Application on the Cherry Street parcel (¶¶ 14C, 14C-1, 14D) and subject of the certified LinkedIn record documenting his April 12, 2017 through September 27, 2019 379

Cherry Street association (¶ 14H; Ex. 22-H); and Defendant Thomas Hawley Tuberville as the party asserting Article V, Section 117 eligibility and the taxpayer of record on the sworn September 23, 2019 Alabama Form 40 Part-Year Return, the July 22, 2025 Warranty Deeds disclaiming Florida homestead status, and the November 14, 2025 Alabama H1-to-H4 exemption flip on the Cherry Street parcel.

6. Venue is proper in Jefferson County under Alabama Code Section 6-3-2(a)(3) and Section 6-3-7 because the material acts and omissions giving rise to this action, including the June 14, 2026 Alabama Republican Party Candidate Committee hearing and the resulting competitive injury to Plaintiff's Jefferson County-based campaign operations, occurred in Jefferson County, Alabama. Plaintiff maintains his principal place of business in Jefferson County, Alabama, and the competitive-injury to his gubernatorial campaign, including reputational, fundraising, and operational harms, materialized in Jefferson County. Venue in Jefferson County is also supported by the fact that the June 14, 2026 Alabama Republican Party Candidate Committee hearing that gave rise to this action was conducted in Birmingham, Jefferson County, Alabama, at the offices of Balch & Bingham LLP, which is the situs of the act or omission complained of within the meaning of Ala. Code § 6-3-2(a)(3).

7. This action is not barred by Alabama Code Section 6-5-440 (abatement for pendency of prior action). The Montgomery County action styled Dorgan and LeBlanc v. Tuberville was dismissed on July 9, 2026 and is no longer "pending" for abatement purposes; even if that action remains pending on appeal, Section 6-5-440 requires identity of parties and identity of subject matter, neither of which is present here. Plaintiff was not a party to the Dorgan and LeBlanc quo warranto action. The Dorgan and LeBlanc plaintiffs proceeded in quo warranto; Plaintiff proceeds in declaratory judgment, injunctive relief, and judicial estoppel. Moreover, the Reid Order

expressly directed constitutional-eligibility challenges into the declaratory-judgment vehicle now invoked here. The doctrines of res judicata, collateral estoppel, and law of the case are inapplicable because Plaintiff was not a party or in privity with any party to Dorgan and LeBlanc and the causes of action are distinct. **[Ex. 1]**

7A. The June 14, 2026 Alabama Republican Party hearing is neither res judicata nor collaterally estoppel-preclusive of this action. Under Alabama law, res judicata requires (1) a prior judgment on the merits, (2) rendered by a court of competent jurisdiction, (3) with substantial identity of the parties, and (4) with the same cause of action presented in both suits. Equity Res. Mgmt., Inc. v. Vinson, 723 So. 2d 634, 636 (Ala. 1998); Wheeler v. First Alabama Bank of Birmingham, 364 So. 2d 1190, 1199 (Ala. 1978). For a non-judicial proceeding to have collateral-estoppel effect, Alabama requires five elements: (1) identity of the parties or their privies, (2) identity of the issues, (3) an adequate opportunity to litigate the issues in the prior proceeding, (4) issues actually litigated and determined in the prior proceeding, and (5) findings on the issues to be estopped necessary to the prior decision. See Ex parte Smith, 683 So. 2d 431, 433 (Ala. 1996) (adopting five-element test from Ex parte Shelby Medical Center, Inc., 564 So. 2d 63, 68 (Ala. 1990)). A private political party's internal candidate-qualifications hearing satisfies none of these preclusion elements: it is not a court of competent jurisdiction, it does not render a judgment on the merits under the Alabama Rules of Civil Procedure, and it does not afford the challenging party the full complement of procedural safeguards applicable in judicial proceedings, including subpoena power, discovery, and the compulsory attendance of third-party witnesses. As detailed in Paragraphs 18 and 18A below, the June 14 Hearing failed to meet each of those procedural safeguards, and the Alabama Republican Party expressly declined to subpoena or hear from Suzanne Marie Tuberville, a co-record-owner of the Cherry Street parcel under the March 30,

2017 Warranty Deed to which the May 10, 2017 Alabama H1 Application applied, the 2018 Alabama H1 auto-continuing exemption in parallel with the 2018 Florida H3/HX filing, the July 22, 2025 sworn "not homestead" recitals, and the July 31, 2012 BYVW self-transfer conveyance.

7B. Documentary Record. The following twenty-two documentary exhibits are compiled in a separate Exhibit Binder filed contemporaneously with this Verified Complaint and are incorporated herein by reference under Ala. R. Civ. P. 10(c). Each exhibit is described in short form below and is set forth in full at the Incorporated Documentary Exhibits list at the end of this Complaint, together with paragraph cross-references and authentication bases under Ala. R. Evid. 902, 803(8), and 801(d)(2). The length of this Complaint is a function of the density of this documentary record, not of rhetorical prolixity; each factual allegation in Paragraphs 8 through 22 below is tethered to one or more of the exhibits identified in this Paragraph 7B.

Exhibit 1. Final Order dated July 9, 2026, State of Alabama ex rel. Dorgan and LeBlanc v. Tuberville, CV-2026-901053.00 (Cir. Ct. Montgomery Cty., Reid, J.).

Exhibit 2. Lee County, Alabama Revenue Commissioner certified Real Property Assessment Sheets for Parcel 09-09-29-1-000-262.000 (PPIN 73546; Accounts 128055 and 167280), 379 Cherry Street, Auburn, Alabama 36830, for tax years 2018, 2023, 2024, and 2025, together with the certified owner-history table documenting the three warranty-deed conveyances of record for that parcel: March 30, 2017 (Lee County Book 2508, Page 612); May 7, 2024 (Book 2720, Page 391, Instrument No. 5008051, adding Defendant Tuberville to the record grantee designation); and June 20, 2025 (Book 2757, Page 828, Instrument No. 5124780, conveyance to the POB Revocable Trust).

Exhibit 3. Lee County, Alabama Revenue Commissioner records for the Cherry Street parcel (PPIN 073546, Parcel 09-09-29-1-000-262.000, Account No. 167280), including the

certified 2025 Property Record Card, certified paid tax receipts for tax years 2023, 2024, and 2025, and the certified comprehensive Payment History covering tax years 2018 through 2025, reflecting the continuous H1 Regular Homestead Exemption on Account 128055 in the names of Thomas Tucker Tuberville and Suzanne Marie Tuberville from tax year 2018 through tax year 2024, the November 14, 2025 reclassification to the H4 Senior Homestead Exemption on Account 167280, and the tax-year 2025 payment of $1,258.35 posted November 14, 2025 by "THOMAS TUBERVILLE" (Trans/Pay 3125854/628072).

Exhibit 4. Alabama Department of Revenue Administrative Rule 810-4-1-.23 and reference materials for H1, H2, H3, and H4 homestead exemptions.

Exhibit 5. September 23, 2019 Alabama Form 40 filed by Defendant Tuberville for tax year 2018, showing part-year residency from August 1 through December 31, 2018 (including Ex. 5-A, Lagniappe reporting on the Form 40 barcode data).

Exhibit 6. Certified 2018 Walton County, Florida Notice of Ad Valorem Tax for the Old Beach Road parcel reflecting H3 and HX Florida homestead exemptions.

Exhibit 7. Florida Department of State, Division of Elections letter dated June 3, 2026 certifying Defendant Tuberville's Florida voter registration May 24, 2017 through March 20, 2020.

Exhibit 8. Current Walton County, Florida Property Appraiser filing for the Old Beach Road parcel.

Exhibit 9. MLS Listing 981580 for the Ridge Road parcel, listed February 6, 2026 at $1,055,000, with the listing field "Homestead: No."

Exhibit 10. BYVW 211, LLC full documentary record (Ex. 10-A through 10-H), including certified paid tax notices 2008 through 2012, corporate formation and dissolution filings, and SEC v. Copeland, Case No. 1:09-cv-0943 (N.D. Ga. April 9, 2009).

Exhibit 11. July 31, 2012 Corporate Warranty Deed (Walton County OR Book 2896, Page 2685) conveying the Old Beach Road parcel from BYVW 211 LLC to the Tubervilles individually.

Exhibit 12. July 7, 2023 Warranty Deed (Fla. Stat. Section 689.02), LaTour to Tuberville, conveying the Ridge Road parcel, grantee address recited on the recorded instrument as "395 Old Beach Road, Santa Rosa Beach, Florida 32459."

Exhibit 13. Tallapoosa County and Macon County, Alabama recorded instruments authenticating the Tuberville family's Alabama real-property divestment pattern from April 2001 through July 2023, consisting of: (13-A) April 19, 2001 Statutory Warranty Deed from Marin Properties, L.L.C. to Thomas H. and Suzanne M. Tuberville (Recording Card No. 159935); (13-B) September 5, 2018 Warranty Deed With Right of Survivorship from Thomas H. and Suzanne M. Tuberville to Rodney Q. and Dorita A. Boyer (Doc. No. 326599); (13-C) September 13, 2018 Release of Mortgage by Southern States Bank of the October 20, 2008 mortgage (Doc. No. 326788); (13-D) September 24, 2018 Release of Mortgage by MERS as nominee for Colonial Bank, N.A., of the September 29, 2006 $735,000 mortgage (Doc. No. 327005); and (13-E) July 21, 2023 General Warranty Deed With Right of Survivorship from Tiger Farms, LLC to William P. and Erica C. Ware (Doc. No. 373349, signed by Thomas H. Tuberville, Suzanne M. Tuberville, and Eddie Gran as the three Members of the Grantor LLC, with Grantor address on the Real Estate Sales Validation Form stated as 379 Cherry Street, Auburn, Alabama 36830), for consideration of

$1,075,000 covering the Tuberville family's Alabama farmland holdings in Tallapoosa and Macon Counties (¶¶ 14D-1, 14D-2).

Exhibit 14. Special Warranty Deeds dated June 20, 2025 and recorded July 22, 2025 at 10:09 AM in Walton County (Instrument Nos. 20250025701 and 20250025702; Book 3365, Pages 1473 and 1477), transferring both Florida parcels (Old Beach Road and Ridge Road) to Suzanne M. Tuberville, as Trustee of the POB Revocable Trust dated October 28, 2024, together with the POB Revocable Trust Agreement dated October 28, 2024.

Exhibit 15. Walton County Tax Collector certified ad valorem tax notices for the Old Beach Road parcel (Parcel 11-3S-20-34020-000-0140), tax years 2008 through 2025, reflecting the owner-directed mailing-address sequence submitted to the Walton County Tax Collector across an eighteen-year period (Auburn, Alabama 2008-2009; Lubbock, Texas 2010-2012; Cincinnati, Ohio 2013-2014; Covington, Kentucky 2015-2016; Santa Rosa Beach, Florida 2017 through 2025), with the 2018 H3/HX Florida homestead thereafter stripped for tax years 2019 through 2025.

Exhibit 16. Walton County Tax Collector certified ad valorem tax notices for the Ridge Road parcel (Parcel 03-3S-20-34221-000-0050), tax years 2023 through 2025, each mailed to 395 Old Beach Road, Santa Rosa Beach, Florida 32459, and each reflecting no Alabama mailing address of record during Defendant Tuberville's United States Senate term.

Exhibit 17. Madison County certified Property Record Card and Tax History for PIN 572379 (124 Williamette Drive, Madison, Alabama), together with the January 26, 2024 warranty deed from Stone Martin Builders, LLC to Troy Tuberville and Thomas Hawley Tuberville, reflecting H1 Regular Homestead held jointly and tax year 2025 paid by "Tuberville Troy" on October 16, 2025.

Exhibit 18. Alabama Secretary of State certified voter registration record for Defendant Tuberville issued June 12, 2026, showing March 28, 2019 initial Alabama registration.

Exhibit 19. Florida Department of Highway Safety and Motor Vehicles Class E Driver License record for Defendant Tuberville, valid through February 20, 2023.

Exhibit 20. Certified transcript of the June 14, 2026 Alabama Republican Party Candidate Committee hearing, prepared by Amber D. Pritchett, CRR/RPR, with ALGOP Hearing Exhibits 1 through 16 preserved.

Exhibit 21. Alabama Secretary of State published guidance "Minimum Qualifications for Public Office" (Internet Archive capture August 12, 2023).

Exhibit 22. Certified public-records composite on 379 Cherry Street occupancy, H-1 homestead-exemption chain, Tucker Tuberville employment and address history, Cannon-family Alabama real-estate entity records, and related Alabama Secretary of State and Florida Department of State business-entity records, consisting of: (22-A) Intelius report for Sarah A. Butler; (22-B) Intelius report for Suzanne Marie Tuberville; (22-C) Intelius report for Thomas Tucker Tuberville, including 463 Ridge Road, Santa Rosa Beach, Florida 32459 residential address of record from June 1, 2023 to the date of Plaintiff's verification of this Complaint; (22-D) Intelius parcel report for 379 Cherry Street, Auburn, Alabama; (22-E) Intelius report for Jonathon Houston Hull; (22-H) Certified LinkedIn profile and employment history of Thomas Tucker Tuberville (Sandler O’Neill/Piper Sandler/Goldman Sachs, New York, June 2018 - April 2023; Triple T Ventures, October 2023 - April 2024; 280 Partners, Founding Partner, May 2024 - present); (22-K) Intelius report for Douglas R. Cannon; (22-L) Florida Department of State, Division of Corporations certified record for 280 Partners LLC (Document No. L24000288537), including 2025 and 2026 Annual Reports; (22-M) Alabama Secretary of State certified Business

Entity Record for Annalue Village, L.L.C.; (22-N) Alabama Secretary of State certified Business Entity Record for Cannon Family Properties, LLC; (22-O) Alabama Secretary of State certified Business Entity Record for Annalue Village Homeowners Association; (22-P) Alabama Secretary of State certified Business Entity Record for Tiger Farms, LLC; (22-Q) Alabama Secretary of State certified Business Entity Record for KTT, LLC; and (22-R) Tucker Tuberville pre-seven-year-window Realtor.com Professional Biography for Hayley Enterprises LLC, 1695 E. University Drive, Auburn, Alabama 36830.

SUMMARY OF COUNTS AND ELEMENTS

This Summary is provided solely as a non-substantive roadmap for the Court's convenience. The operative allegations, elements, and pleaded facts are set forth in the numbered paragraphs that follow. Paragraph and exhibit pincites in this Summary are illustrative and do not limit the incorporated paragraphs of each Count.

Count I. Declaratory Judgment (Ala. Code § 6-6-220 et seq.)

Authority: Ala. Const. Art. V, § 117; Ala. Code §§ 6-6-220 through 6-6-232; *Ex parte Weissinger*, 247 Ala. 113 (1945); *Nora v. Nora*, 494 So. 2d 16 (Ala. 1986); *Ravenel v. Dekle*, 265 S.C. 364 (1975) (persuasive authority).

Elements and pincites:

a. Justiciable controversy: competitive-injury standing as defeated primary candidate. **¶¶ 20–21; Ex. 1.**

b. Constitutional standard: seven-year continuous "resident citizen" under Art. V, § 117. **¶¶ 3, 5, 8, 9, 14; Ex. 21.**

c. Sworn documentary declarations against continuous Alabama domicile: 2018 Walton County homestead reflecting Florida H3/HX exemption on Old Beach Road parcel (Ex. 6), which under Fla. Stat. §§ 196.031, 196.011, and 196.012(17) required a sworn Florida permanent-residence certification by the record owners as of January 1, 2018; concurrent 2018 dual-state homestead benefit received by Defendant Tuberville through the auto-continuing Alabama H1 on the Cherry Street parcel (Tucker Tuberville sole applicant, May 10, 2017, under Ala. Code § 40-7-10 (no annual renewal required)); November 6, 2018 Florida mail-in ballot; September 23, 2019 Form 40 Part-Year return; active Florida voter registration through March 20, 2020; active Florida driver license through February 20, 2023. **¶¶ 14C, 14C-1, 14D, 22A, 22B, 23, 23A; Ex. 5, Ex. 6, Ex. 7, Ex. 19.**

d. Documentary repositioning within active campaign: November 14, 2025 H1-to-H4 flip on Cherry Street after Defendant added to deed. **¶¶ 10, 10A, 10B, 10C; Ex. 2, Ex. 3, Ex. 4.**

e. Documentary Florida residence orientation across the Seven-Year Window: Old Beach Road 18-year tax chain and Ridge Road 2023-25 receipts, corroborating that the Florida parcels functioned as the family's primary residence. **¶¶ 14E, 14E-1 through 14E-4; Ex. 15, Ex. 16.**

f. In-family Alabama-residency comparator: Troy Allen Tuberville's Madison County H1 filing establishes what actual Alabama bona fide domicile looks like when a Tuberville-family adult holds joint title. **¶ 14G; Ex. 17.**

g. Third-party documentary corroboration under Ala. R. Evid. 803(17), with alternative footings under 803(6), 902(11), and 1006: Intelius aggregate public-records reports, certified LinkedIn employment history, certified Florida Department of State Division of Corporations records, and certified Alabama Secretary of State business-entity records documenting (i)

Defendant Tuberville's continuous 1516 Crossing Way, Auburn documentary association from January 1, 1999 through the date of Plaintiff's verification of this Complaint with no 379 Cherry Street residential association at any date; (ii) Suzanne Marie Tuberville's twenty-year 395 Old Beach Road, Santa Rosa Beach documentary association from February 1, 2005 through July 22, 2025; (iii) Thomas Tucker Tuberville's April 12, 2017 through September 27, 2019 379 Cherry Street window, followed by New York City residency at 36 East 36th Street (September 24, 2019 - January 6, 2021) and 280 Park Avenue South (August 1, 2020 - March 28, 2023) during his Sandler O'Neill, Piper Sandler, and Goldman Sachs New York City employment (June 2018 - April 2023), and his 463 Ridge Road, Santa Rosa Beach, Florida residence of record from June 1, 2023 to present; (iv) the auto-continuing operation of the May 10, 2017 Alabama H1 executed by Tucker Tuberville alone under Ala. Code § 40-7-10, which required no further application or re-signature by any co-owner during the 2018 - 2024 H1 window; (v) Thomas Tucker Tuberville's Florida principal office and Florida Manager-of-record status for 280 Partners, LLC (Florida Document No. L24000288537, formed June 26, 2024, principal office St. Petersburg, Florida, Manager address 463 Ridge Road, Santa Rosa Beach, Florida), per Thomas Tucker Tuberville's disambiguated April 14, 2025 electronic signature on the 2025 Florida Annual Report as Manager (the 2026 Annual Report bears a name-ambiguous "THOMAS TUBERVILLE" electronic signature as Authorized Member and is not attributed to Defendant); (vi) the co-equal three-Member composition of Tiger Farms, LLC (Thomas H. Tuberville, Suzanne M. Tuberville, and Edward "Eddie" Gran) with Douglas R. Cannon as original Registered Agent and prior Member, confirming the Cannon-Tuberville real-estate relationship and Eddie Gran's use of 379 Cherry Street as a Member address of record for a third-party non-resident business partner; and (vii) the August 18, 2017 dissolution of KTT, LLC by Defendant Tuberville, an Alabama limited liability

company whose Alabama Secretary of State certified Business Entity Record (Ex. 22-Q) recites its stated nature of business as "REAL ESTATE" and lists Defendant Thomas H. Tuberville as Member of record, four months and nineteen days after the March 30, 2017 Cherry Street conveyance, evidencing a coordinated 2017 restructuring in which Defendant Tuberville divested his personally-held Alabama real-estate limited liability company in the same calendar year in which the 379 Cherry Street parcel was placed nominally in the names of his adult son and spouse. **¶¶ 14H, 14I, 14J, 14K; Ex. 22, sub-exhibits 22-A through 22-R.**

h. Structural corroboration by Alabama and Florida entity records: POB Revocable Trust mailing address of record as 379 Cherry Street, Auburn, Alabama; Tiger Farms, LLC (Alabama SOS Entity ID 000-459-947) three-Member composition and July 21, 2023 conveyance while active; Cannon-family Alabama SOS entity network (Cannon Family Properties, LLC; Annalue Village Homeowners Association, LLC; Annalue Village, LLC); and Thomas Tucker Tuberville's disambiguated Florida entity-of-record posture through 280 Partners, LLC per his April 14, 2025 electronic signature as Manager on the 2025 Florida Annual Report (the 2026 Annual Report bears a name-ambiguous "THOMAS TUBERVILLE" electronic signature as Authorized Member and is not attributed to Defendant). **¶¶ 14D-2, 14H, 14I, 14J; Ex. 13, Ex. 22, sub-exhibits 22-L through 22-Q.**

i. Relief: declaration that Defendant Tuberville does not satisfy Art. V, § 117 and is ineligible to be certified as a candidate for Governor. **¶ 24.**

Count II. Injunctive Relief (Ala. Code § 6-6-223; Ala. R. Civ. P. 65)

Authority: Ala. Code § 6-6-223; Ala. R. Civ. P. 65; *Perley v. Tapscan, Inc.*, 646 So. 2d 585 (Ala. 1994).

Elements and pincites:

a. Substantial likelihood of success on Count I: documentary record not in genuine dispute. **¶ 26A (first sentence); Ex. 1 through Ex. 22.**

b. Irreparable harm: competitive-injury standing not remediable by money damages; August 19, 2026 statutory substitution deadline creates hard cutoff. **¶ 26A (second sentence); ¶ 18.**

c. Balance of equities: no legitimate protectable interest of Defendant Tuberville in remaining on ballot; Defendant Allen has no interest in certifying ineligible candidate. **¶ 26A (third sentence).**

d. Public interest: integrity of General Election ballot for constitutional office. **¶ 26A (fourth sentence).**

e. Relief: order directing Defendant Allen to refrain from certifying and to strike Defendant Tuberville from the November 3, 2026 General Election ballot; with alternative preliminary injunctive relief under Ala. R. Civ. P. 65(a) pending final judgment. **¶¶ 26, 27.**

Count III. Judicial Estoppel Based on Sworn Homestead Filings

Authority: *Ex parte First Alabama Bank*, 883 So. 2d 1236 (Ala. 2003); *Middleton v. Caterpillar Indus., Inc.*, 979 So. 2d 53 (Ala. 2007); *Ex parte Weissinger*, 247 Ala. 113, 22 So. 2d 510 (1945).

Elements and pincites:

a. Prior sworn statement: 2018 Walton County homestead application certified permanent residence at 395 Old Beach Road as of January 1, 2018, executed under penalty of perjury under Fla. Stat. § 837.06. **¶¶ 29A (first sentence), 30; Ex. 6.**

b. Direct pecuniary benefit: Florida homestead exemption applied against every non-school and school taxing authority; approximate value calculable from certified Walton County tax bills. **¶¶ 29A (second sentence), 30; Ex. 6, Ex. 15.**

c. Directly contrary present position: present assertion of continuous Alabama "resident citizen" status throughout the Seven-Year Window is irreconcilable with the 2018 Florida homestead filing as a matter of law under Fla. Stat. §§ 196.031(5) (2018) and 196.161(1)(b). **¶¶ 29A (third sentence), 31.**

d. Bilateral trap: if Defendant is bound by the 2018 filing, Article V, § 117 is not satisfied; if he repudiates the filing, Fla. Stat. § 196.161 creates ten-year retroactive lien, 50% civil penalty, 15% per annum interest exposure. **¶¶ 32, 32A.**

e. Summary judgment posture: public records not in genuine dispute; no disputed question of intent or credibility required. **¶ 33; Ala. R. Civ. P. 56.**

FACTUAL ALLEGATIONS

A. The Constitutional Requirement

8. Article V, Section 117 of the Alabama Constitution of 2022 (recompiling the identical language of Article V, Section 117 of the Alabama Constitution of 1901) provides that "[t]he governor and lieutenant governor shall each be at least thirty years of age when elected, and shall have been citizens of the United States ten years and resident citizens of this state at least seven years next before the date of their election." The constitutional phrase "resident citizens" requires

actual, physical, and continuous residency for the full seven-year period, and not mere intent to reside. See Ex parte Weissinger, 247 Ala. 113, 117, 22 So. 2d 510, 514 (1945) (Alabama residency requires both fact of residence and intention to remain); see also Ravenel v. Dekle, 265 S.C. 364, 218 S.E.2d 521 (1975) (persuasive authority; South Carolina Supreme Court holding that "resident" in constitutional gubernatorial eligibility provision "is used in the strict primary sense of one actually and physically living in the place for a time").

9. For the November 3, 2026 General Election, the constitutional inquiry is whether Defendant Tuberville was an actual, physical, continuous "resident citizen" of Alabama for the seven years next preceding November 3, 2026, that is, the period from November 3, 2019 through November 3, 2026 (the "Seven-Year Window"). Any interruption in Alabama residency during the Seven-Year Window, established by objective and documentary evidence, defeats eligibility as a matter of Alabama constitutional law.

B. The Auburn, Alabama Parcel

10. The Auburn, Alabama property Defendant Tuberville has identified as his Alabama residence is 379 Cherry Street, Auburn, Alabama 36830 (Lee County Parcel PPIN 073546, Account No. 167280, Parcel No. 09-09-29-1-000-262.000) (the "Cherry Street parcel"). The Cherry Street parcel was conveyed by warranty deed dated March 30, 2017 (recorded in Book 2508, Page 612, Probate Records of Lee County, Alabama) to Thomas Tucker Tuberville and Suzanne Marie Tuberville only. Defendant Tuberville himself did not appear on the deed of record to the Cherry Street parcel until May 7, 2024, when he was added as a co-grantee by warranty deed recorded at Book 2720, Page 391, as Instrument No. 5008051, Probate Records of Lee County, Alabama, approximately twelve months before he publicly announced his candidacy for Governor. On June 20, 2025, title was transferred to the POB Revocable Trust, Suzanne M.

Tuberville, Trustee, by warranty deed recorded at Book 2757, Page 828, as Instrument No. 5124780, Probate Records of Lee County, Alabama, an entity established by Trust Agreement dated October 28, 2024, pre-dating the May 27, 2025 announcement by seven months. The sequence of these conveyances, deed retitling May 7, 2024; trust formation October 28, 2024; trust conveyance June 20, 2025; H4 filing November 14, 2025, is a documented chronology of residency reconstruction on the eve of, and during, an active gubernatorial campaign. **[Ex. 2; Ex. 3]**

10A. The Application for Alabama H1 Regular Homestead Exemption on the Cherry Street parcel for tax year 2018 was executed on May 10, 2017 by Thomas Tucker Tuberville alone, forty-one days after the March 30, 2017 Warranty Deed (Lee County Book 2508, Page 612) that conveyed the parcel to Thomas Tucker Tuberville and Suzanne Marie Tuberville as co-record owners. The certified Lee County Property Assessment Sheet reflects Thomas Tucker Tuberville's signature dated 5-10-17 in the "Signature of Owner" block, sworn under penalty of perjury, with the H1 exemption box checked. Suzanne Marie Tuberville did not personally sign the H1 Application; her name does not appear as an applicant signatory of record on that form. The Application further reflects the annotation "Do you have other Exemptions? YES [X]" with the handwritten notation identifying an existing exemption on the Marin Parkway parcel in Dadeville, Alabama, Tallapoosa County. Under Alabama Department of Revenue Administrative Rule 810-4-1-.23 and Alabama Code Section 40-9-19(a)(1) and (b), the H1 Regular Homestead Exemption may be claimed only by an applicant who owned and occupied the parcel as his or her primary residence on October 1 of the tax year for which the exemption applies. The H1 exemption remained in effect on the Cherry Street parcel continuously for tax years 2018 through 2024, as reflected in the Lee County Revenue Commissioner's certified Real Property

Assessment Sheets and Payment History for those years. Defendant Tuberville himself did not sign the May 10, 2017 H1 Application; his name does not appear on the Application; and the certified 2017 through 2024 Payment History reflects tax payments posted variously to Suzanne M. Tuberville, "Tuberville Suzanne," "Thomas & Suzanne Tuberville," "Thomas H Tuberville," or "Tuberville Thomas H." Specifically, the certified altags.com Payment History for the Cherry Street parcel (PPIN 073546, Account 128055) reflects that Defendant Thomas H. Tuberville personally paid the Cherry Street ad valorem taxes for tax year 2019 (jointly with Suzanne, posted December 10, 2019), tax year 2021 (posted December 8, 2021), and tax year 2022 (posted December 5, 2022), each of those payments occurring before Defendant Tuberville was first added to the Cherry Street deed of record by the May 7, 2024 quitclaim deed (Lee County Book 2720, Page 391, Instrument No. 5008051). Defendant Tuberville's first post-title Cherry Street tax payment posted after May 7, 2024 was the November 14, 2025 payment of $1,258.35 for tax year 2025 on new Account 167280, posted the same day as the H1-to-H4 reclassification described in Paragraph 10B. **[Ex. 2; Ex. 3; Ex. 4]**

10A-1. Between March 30, 2017 and May 7, 2024, title to the Cherry Street parcel was held by Suzanne Marie Tuberville and Tucker Tuberville as tenants in common, Alabama not recognizing tenancy by the entirety as a valid form of co-ownership, see Ala. Code Section 35-4-7 and cases decided thereunder. Tucker Tuberville, as an adult tenant-in-common co-owner, held during the entirety of that seven-year, one-month, and seven-day period a legally cognizable, separately transferable, separately devisable, and separately mortgageable ownership share in the Cherry Street parcel that Defendant Tuberville could not have held, controlled, or unilaterally directed. That co-ownership structure is legally and factually incompatible with a claim by

Defendant Tuberville that the Cherry Street parcel served as his bona fide primary Alabama residence throughout that period. **[Ex. 2; Ex. 3]**

10B. On November 14, 2025, 171 days after Defendant Tuberville's May 27, 2025 public gubernatorial announcement, and 52 days before the January 5, 2026 opening of Alabama Republican Party candidate qualifying, the Cherry Street parcel exemption code was changed from H1 to H4. The H4 Homestead Exemption under Alabama Code Section 40-9-19(a)(2) and Alabama Department of Revenue Administrative Rule 810-4-1-.23 requires the claimant to be at least 65 years old, to occupy the parcel as primary owner-occupied residence on the October 1 lien date of the tax year, and, as reflected in the Alabama Department of Revenue's published guidance on the H4 tier, to have Alabama adjusted gross income greater than $12,000 on the most recent Alabama Income Tax Return (which distinguishes H4 from the H2 tier under Section 40-9-19(d)). The H4 reclassification for tax year 2025 was reflected on the Lee County Revenue Commissioner's certified Property Record Card as an H4 exemption code with a tax-year 2025 payment of $1,258.35 posted on November 14, 2025. The November 14, 2025 filing is the first sworn Alabama primary-residence certification signed by Defendant Tuberville personally on the Cherry Street parcel of record. **[Ex. 3; Ex. 4]**10C. The November 14, 2025 H1-to-H4 reclassification, executed on the schedule described in Paragraph 10B, is inconsistent with a bona fide, long-established Alabama primary residence. Defendant Tuberville turned 65 years old on September 18, 2019, and Suzanne Marie Tuberville turned 65 years old on May 5, 2026. Because Suzanne Marie Tuberville did not attain the age of 65 until May 5, 2026, only Defendant Tuberville himself qualified for the H4 Senior Homestead Exemption under Ala. Code § 40-9-19(d) during the pre-2026 period. Defendant Tuberville was not added to the Cherry Street parcel deed of record until May 7, 2024. If Defendant Tuberville had in fact been a bona fide Alabama

resident occupying the Cherry Street parcel as his primary residence, the H4 exemption would have been available to him beginning tax year 2024, immediately upon his addition to the deed on May 7, 2024, and would have been applied continuously thereafter. The choice not to claim the H4 exemption for tax year 2024, the first year for which it was legally available to Defendant Tuberville, and then to claim it for the first time during the seven-month period between the May 27, 2025 candidacy announcement and the January 5, 2026 qualifying opening, is documentary evidence of purpose. It is, consistent with the principle articulated in Ravenel v. Dekle, evidence of documentary repositioning rather than bona fide domicile. See Ravenel, 265 S.C. at 378, 218 S.E.2d at 528 ('any expressed intent on the part of a person must be evaluated in the light of his conduct'). The H1 Regular Homestead Exemption applied for by Thomas Tucker Tuberville on May 10, 2017 was continuously in force for tax years 2018 through 2024 on the Cherry Street parcel; Defendant Tuberville was not added to the Cherry Street deed of record until May 7, 2024, and the H1-to-H4 reclassification did not appear on the certified Lee County record until the November 14, 2025 payment of $1,258.35 for tax year 2025, at which point the Property Record Card exempt code shifted from H1 to H4. The bona-fide-residence comparator for an Alabama adult-son joint-title parcel is set out at Paragraph 14G below and documented in Exhibit 16. **[Ex. 3; Ex. 4]**

11. Defendant Tuberville did not personally sign any Alabama homestead exemption application for the Cherry Street parcel for tax years 2018 through 2024. He was neither a record titleholder nor a signatory on the May 10, 2017 H1 Application, which was signed by his son Thomas Tucker Tuberville alone. The 2018-2024 H1 exemption benefits flowed to Defendant Tuberville only derivatively through his spouse. The first sworn Alabama primary-residence certification by Defendant Tuberville personally on the Cherry Street parcel was the November

14, 2025 H4 filing described in Paragraphs 10B and 10C above. At the June 14, 2026 Alabama Republican Party hearing, Defendant Tuberville admitted under oath that he did not personally sign the May 10, 2017 Cherry Street H1 Application. **[Ex. 2; Ex. 3]**

12. On or about September 23, 2019, Defendant Tuberville filed with the Alabama Department of Revenue an Alabama Form 40, Individual Income Tax Return (Residents and Part-Year Residents), for tax year 2018, with the "Part Year" residency box checked and residency dates entered as "From 8-1 through 12-31, 2018." The Form 40 Part-Year filing self-certifies under penalty of perjury that Defendant Tuberville became an Alabama resident on August 1, 2018, and, by the operation of the Part-Year designation itself, self-certifies that Defendant Tuberville was not an Alabama resident for the period January 1, 2018 through July 31, 2018. Reporting by Lagniappe, based on a review of the same return, indicates the return states Alabama adjusted gross income of $37,816 against federal adjusted gross income of $132,330, a differential of $94,514 reflecting income earned during the Florida-resident portion of tax year 2018. The Form 40 Part-Year filing occurred forty-one days before the November 3, 2019 opening of the Seven-Year Window. Because the Form 40 Part-Year return is a sworn declaration executed under penalty of perjury, Defendant Tuberville is bound, under Alabama judicial estoppel doctrine, by his own 2019 sworn representation that Alabama residency did not commence until August 1, 2018. See Ex parte First Alabama Bank, 883 So. 2d 1236, 1244-45 (Ala. 2003); Middleton v. Caterpillar Indus., Inc., 979 So. 2d 53, 60 (Ala. 2007). **[Ex. 5; Ex. 5A]**

12A. The Form 40 Part-Year filing of September 23, 2019 is documentarily inconsistent with contemporaneous Florida records for tax year 2018 in two respects. First, Defendant Tuberville and Suzanne Marie Tuberville held an active 2018 Walton County, Florida homestead exemption on the Old Beach Road parcel, which under Fla. Stat. § 196.031(1)(a) is granted only to

natural persons who, in good faith, maintain their permanent residence in Florida as of January 1 of the tax year. Second, Defendant Tuberville cast a mail-in ballot in Walton County, Florida in the November 6, 2018 Florida General Election, more than three months after the Alabama residency start date of August 1, 2018 that he certified on his Form 40 Part-Year return. The act of voting in Florida in November 2018 is documentary evidence of ongoing Florida contact and, taken together with the 2018 Walton County homestead filing and the March 20, 2020 termination date of Defendant Tuberville's Florida voter registration, reflects a back-and-forth residency paper trail during and after the tax year in which Alabama residency was purportedly commenced. Voting in Florida on November 6, 2018 is internally contradictory with the sworn Alabama residency start date of August 1, 2018 recorded on the Form 40 Part-Year return. **[Ex. 5; Ex. 6; Ex. 7]**

C. The Florida Beach Parcels: 2004 Through 2025

13. At all times relevant to this Complaint, Defendant Tuberville and Suzanne Marie Tuberville have owned or controlled residential real property in Walton County, Florida. The two principal Florida parcels are (a) 395 Old Beach Road, Santa Rosa Beach, Florida 32459 (Walton County Parcel No. 11-3S-20-34020-000-0140) (the "Old Beach Road parcel"), a Gulf-front lot improved by a single-family residence of approximately 5,105 square feet on 0.365 acres; and (b) 463 Ridge Road, Santa Rosa Beach, Florida 32459 (Walton County Parcel No. 03-3S-20-34221-000-0050) (the "Ridge Road parcel"), acquired by the Tubervilles on July 7, 2023 for $825,000. Both parcels are presently held by the POB Revocable Trust, Suzanne M. Tuberville, Trustee. The Walton County Property Appraiser's certified working record for the Old Beach Road parcel, as of the June 30, 2026 assessment cycle, reflects a Just (Market) Value of $5,672,558 and an Assessed Value of $4,893,728. By comparison, the Lee County Revenue Commissioner's certified 2025

record for the Cherry Street parcel reflects an appraised value of $270,680. The dollar disparity between the Florida holdings (in excess of $6.7 million on the two parcels combined) and the Auburn parcel is itself a matter of record probative of where the Tubervilles' asset gravity has, in fact, resided. **[Ex. 8; Ex. 9]**

14. The Old Beach Road parcel's twenty-one-year ownership history establishes that it has functioned as a Florida residential holding of the Tubervilles or a Tuberville-controlled entity, formally certified as the Tubervilles' Florida permanent residence for homestead purposes in tax year 2018, and continuously reflected in the certified Walton County Property Appraiser and Tax Collector records as owner-directed to a Florida mailing address of record from 2017 forward. From October 12, 2004 through July 31, 2012, title was held by BYVW 211, LLC, a Georgia limited liability company organized by Atlanta attorney Robert P. Copeland as one entity in a numbered series of ten single-purpose BYVW LLCs, all bearing his Atlanta law office as registered agent of record. The certified Walton County tax bills for tax years 2008 through 2011 were each addressed to "BYVW 211 LLC, ATTN: SUZANNE TUBERVILLE", first at 2603 Danbury Drive, Auburn, Alabama 36830 (2008-2009), then at 9018 County Road 6860, Lubbock, Texas 79407 (2010-2011). None of these bills reflected any Florida homestead exemption; Florida homestead is not available to an LLC-titled parcel under Florida Statutes Section 196.041. From 2012 through 2017, and again from 2019 through 2025, the Tubervilles held the parcel individually but claimed no Florida homestead exemption. Only in the single, isolated tax year 2018 did the Tubervilles claim a Florida homestead exemption on the Old Beach Road parcel, a sworn Florida permanent-residence election in the year immediately preceding the Seven-Year Window that established the very state of residence Defendant Tuberville was required to

affirmatively abandon before the window opened, and that is inconsistent with the Alabama residency he has since sworn under oath. **[Ex. 8]**

14A. The Georgia Secretary of State's official corporate record for BYVW 211, LLC (Control No. 0458095) reflects a corporate lifecycle in which the entity existed only long enough to acquire, hold, and convey the Old Beach Road parcel to Defendant Tuberville and his wife individually, and in which Suzanne Marie Tuberville was the only Tuberville-affiliated natural person to sign for the entity in any official capacity of record. The LLC was formed by Articles of Organization filed September 30, 2004 (Georgia SOS Filing No. 683078), and administratively dissolved by the Georgia Secretary of State on May 16, 2008 for failure to file annual registrations. The LLC remained dissolved through the 2009 through 2011 tax years during which Suzanne Tuberville nonetheless received Walton County tax bills as its operational contact, and was reinstated only on June 26, 2012, thirty-five days before the July 31, 2012 warranty deed conveying the Old Beach Road parcel from the LLC to the Tubervilles individually. The May 30, 2012 Application for Reinstatement (Georgia SOS Filing No. 11970493) bears the authorized signature of "Suzanne Tuberville" and lists the corrected principal office address as 9018 County Road 6860, Lubbock, Texas 79407, the identical address on the July 31, 2012 conveyance to the Tubervilles. The only Tuberville-affiliated natural person appearing as a signatory on any BYVW 211, LLC filing of record with the Georgia Secretary of State is Suzanne Marie Tuberville, who executed the May 30, 2012 Application for Reinstatement. The LLC was allowed to lapse into a final administrative dissolution on December 31, 2015 (Georgia SOS Filing No. 12265383), three years after the conveyance. The corporate record therefore establishes an eight-year lifecycle in which BYVW existed only long enough to hold and then transfer the Old Beach Road parcel to its own beneficial owners. **[Ex. 10]**

14A-1. BYVW 211, LLC was one of a numbered series of single-purpose Georgia limited liability companies organized in 2004 through the same Atlanta registered-agent address. Public records of the Georgia Secretary of State's Corporations Division reflect that Copeland caused the formation of a numbered series of ten single-purpose Georgia limited liability companies bearing the "BYVW" designation, specifically BYVW 210, LLC (Control No. 0459586), BYVW 211, LLC (Control No. 0458095), BYVW 212, LLC (Control No. 0459587), BYVW 213, LLC (Control No. 0468415), BYVW 214, LLC (Control No. 0473169), BYVW 215, LLC (Control No. 0473168), BYVW 216, LLC (Control No. 0471386), BYVW 217, LLC (Control No. 0471388), BYVW 218, LLC (Control No. 0471390), and BYVW 219, LLC (Control No. 0469646). All ten entities were formed with Robert P. Copeland's Atlanta law office at 1827 Powers Ferry Road, Atlanta, Georgia designated as registered agent, without any independent counsel of record appearing on the formation documents; and BYVW 211, LLC, alone among the ten, was subsequently re-registered to a single-family residential address at 9018 County Road 6860, Lubbock, Texas 79407, the identical Texas address that Defendant Tuberville and his wife Suzanne Marie Tuberville would list as their own personal grantee address of record on the July 31, 2012 Corporate Warranty Deed conveying the Old Beach Road parcel to themselves individually (Walton County CFN 1204003, OR Book 2896, Page 2685). **[Ex. 10; Ex. 11]**

BYVW 211, LLC took title to the Old Beach Road parcel (Walton County, Florida Parcel 11-3S-20-34020-000-0140, Lot 14, Old Florida Beach) on October 12, 2004 from George Kenneth W. II, Trustee, for the sum of $3,000,000, an arm's-length "Qualified" transaction under the Walton County Property Appraiser's own sales-history classification, recorded at Walton County OR Book 2636, Page 1463 and corroborated by $21,000 in Florida documentary stamp tax paid at $0.70 per $100 of consideration. Less than eight years later, and after Robert P. Copeland

had been sued by the United States Securities and Exchange Commission for operating a $35,000,000 real-estate-fronted Ponzi scheme through Georgia entities he controlled from at least 2004 through January 2009 (SEC v. Robert P. Copeland, Civil Action No. 1:09-cv-0943, N.D. Ga., filed April 9, 2009), that same BYVW 211, LLC conveyed the identical Old Beach Road parcel to Defendant Thomas Hawley Tuberville and his wife Suzanne Tuberville, individually and as husband and wife, for a stated consideration of $750,000, a seventy-five percent (75%) reduction of $2,250,000 from BYVW 211's own 2004 acquisition price, which the Walton County Property Appraiser classified as "Unqualified" on its face and which the Walton County Clerk of Court recorded together with only $5,250.00 in Florida documentary stamp tax, an amount that mathematically confirms the $750,000 stated consideration at the statutory rate of $0.70 per $100 (Fla. Stat. Section 201.02).

That 2012 conveyance is memorialized in the Corporate Warranty Deed executed on July 12, 2012 and recorded by the Walton County, Florida Clerk of Court on July 31, 2012 at 3:01 p.m. as CFN # 1204003, OR Book 2896, Page 2685 (Deputy Clerk S. Bell for Martha Ingle, Clerk of Court). The face of that recorded instrument reflects that BYVW 211, LLC, a Georgia limited liability company, appeared as Grantor with a post office address recited as 9018 County Road 6860, Lubbock, Texas 79407, and that Thomas Hawley Tuberville and Suzanne Tuberville, husband and wife, appeared as Grantees with a post office address recited on the same instrument as the identical 9018 County Road 6860, Lubbock, Texas 79407, such that the grantor entity and the individual grantees recited the identical Lubbock, Texas post office address as their address of record on the face of the recorded 2012 deed. The face of that recorded instrument further reflects that Suzanne M. Tuberville, the individual Grantee, personally executed the deed on behalf of BYVW 211, LLC as its 'Manager,' acknowledged the instrument before Barbara J. Bryant, Notary

Public for Okaloosa County, Florida, and thereby, in a single instrument, conveyed the Old Beach Road parcel from the Georgia limited liability company of which she was the acting Manager to herself and her husband individually. The Tubervilles accordingly acquired the Old Beach Road parcel not through an independent third-party transaction, but through a Georgia limited liability company in which Suzanne Marie Tuberville herself served as the corporate signatory conveying title from the entity to herself and her husband, at a stated consideration of $750,000, a 75% reduction from the entity's own 2004 acquisition price of $3,000,000 for the identical parcel. **[Ex. 8; Ex. 10-A through 10-H; Ex. 11]**

14A-2. The certified Walton County, Florida Tax Collector's paid real estate tax records for tax years 2008 through 2012 reflect that BYVW 211, LLC was operated with Suzanne Marie Tuberville as its designated operational contact of record across the entire five-year period preceding the July 31, 2012 warranty deed to the Tubervilles individually, notwithstanding the LLC's administrative dissolution in Georgia from May 16, 2008 through June 26, 2012. In each of the five tax years 2008, 2009, 2010, 2011 and 2012, the Walton County paid tax notice for the 395 Old Beach Road parcel (Account No. 11-3S-20-34020-000-0140) was addressed to a natural person named Suzanne Tuberville, in the form 'BYVW 211 LLC / ATTN: SUZANNE TUBERVILLE' for tax years 2008 through 2011, and directly to 'TUBERVILLE THOMAS HAWLEY & TUBERVILLE SUZANNE' for tax year 2012 following the July 31, 2012 conveyance. The mailing address of record on the LLC's tax notices migrated from 2603 Danbury Drive, Auburn, Alabama 36830 (tax years 2008 and 2009) to 9018 County Road 6860, Lubbock, Texas 79407 (tax years 2010, 2011 and 2012), with the Lubbock Texas address of record on the LLC's tax notices being adopted at least as early as tax year 2010, approximately two years before that identical Lubbock Texas address was recited on both sides of the July 31, 2012 corporate

warranty deed as the address of both the LLC grantor and the Tubervilles as individual grantees. The 2008 ad valorem tax bill of $25,473.16, on an assessed value of $3,157,811.00, was paid on December 18, 2008 (Receipt No. 2008-0504562) by 'SUZANNE TUBERVILLE' personally identified by name in the Paid By field of the certified tax record. The subsequent tax years 2009 through 2012 reflect a change in the recording convention of the Walton County Tax Collector: the Paid By field on each of the certified paid tax notices for tax years 2009 (Receipt No. 2009-9816865, $19,965.99 paid December 15, 2009), 2010 (Receipt No. 2010-9802015, $16,410.91 paid November 9, 2010), 2011 (Receipt No. 2011-9804881, $15,912.46 paid November 14, 2011) and 2012 (Receipt No. 2012-9802305, $16,592.16 paid November 9, 2012) is left blank, but each of those tax notices was itself mailed to Suzanne Tuberville as the LLC's operational point of contact of record. The five-year certified tax record therefore establishes, first, that Suzanne Marie Tuberville was the natural person identified on the face of the Walton County tax roll as the operational contact for BYVW 211, LLC across the entire 2008 through 2012 period, including the four-year, one-month and ten-day interval during which the LLC was administratively dissolved in Georgia and was not authorized to transact business as a Georgia limited liability company; second, that Suzanne Marie Tuberville personally paid the 2008 Florida ad valorem taxes on the LLC's Florida real property from an Auburn, Alabama residential address four years before the formal conveyance to the Tubervilles individually; third, that the LLC's mailing address of record on the Walton County tax roll had migrated to the Lubbock Texas address by tax year 2010, two full years before that same Lubbock Texas address appeared on both the June 26, 2012 Application for Reinstatement (signed by Suzanne Tuberville) and the July 31, 2012 corporate warranty deed as the identical address of both the grantor LLC and the Tuberville grantees; and fourth, that throughout the entire five-year 2008 through 2012 period, the

Tubervilles caused the Florida property to be held in the name of BYVW 211, LLC while Suzanne Marie Tuberville personally served as its operational point of contact on the Walton County tax roll, without at any point using an Alabama address as the LLC's mailing address of record on the Walton County tax roll after 2009. **[Ex. 10-A through 10-E; Ex. 10-G]**

14B. The July 31, 2012 Corporate Warranty Deed (Walton County CFN 1204003, OR Book 2896, Page 2685) conveyed title from an entity in which Suzanne Marie Tuberville then served as Manager to Thomas Hawley Tuberville and Suzanne Tuberville individually, and was recorded together with $5,250.00 in Florida documentary stamp tax, an amount corresponding to a stated consideration of $750,000 at the statutory rate of $0.70 per $100 (Fla. Stat. Section 201.02), a 75% reduction from BYVW 211's own 2004 acquisition price of $3,000,000 for the identical parcel. Suzanne Marie Tuberville signed as Manager of the grantor BYVW 211, LLC, and appeared as one of two individual grantees. Both the grantor's and the grantees' post-office addresses on that instrument are 9018 County Road 6860, Lubbock, Texas 79407, a Texas address that is neither Alabama nor Florida. That the Tubervilles chose in 2012 to move title from an administratively-reinstated Georgia limited liability company into individual ownership, without any change in the individuals who ultimately controlled the parcel and at a stated consideration 75% below the entity's own 2004 acquisition price for the same parcel, positioned the Old Beach Road parcel for the personal residential use and homestead-exemption claim that Defendant Tuberville and Suzanne Marie Tuberville would formally assert in tax year 2018, when Florida homestead status became legally available to them under Fla. Stat. Section 196.031 only because the parcel was then held in their individual names rather than in the name of the LLC. **[Ex. 11]**

14B-1. On July 7, 2023, more than three years and eight months into the constitutional seven-year Alabama residency window that opened on November 3, 2019, and while Defendant

Tuberville was serving as a sitting United States Senator representing the State of Alabama, Defendant Tuberville and his spouse Suzanne M. Tuberville acquired fee-simple title to a second Florida parcel adjacent to the Old Beach Road parcel: 463 Ridge Road, Santa Rosa Beach, Florida 32459 (Walton County Parcel No. 03-3S-20-34221-000-0050). The conveying instrument is a Warranty Deed (Statutory Form, Fla. Stat. § 689.02) executed July 7, 2023, from Daniel T. LaTour and Sarah E. LaTour to the Tubervilles, and recorded July 11, 2023 in the Walton County, Florida public land records as Instrument No. 20230024285, Book 3295, Page 1257. Documentary stamp tax of $5,775.00 was paid on the conveyance, corresponding to a stated consideration of $825,000.00. The recorded deed identifies the grantees, verbatim on the face of the recorded instrument, as follows: "Thomas Hawley Tuberville and Suzanne M. Tuberville, husband and wife, whose address is 395 Old Beach Road, Santa Rosa Beach, Florida 32459." That address recital is a contemporaneous, self-declared, buyer-supplied and personally-adopted representation by Defendant Tuberville to the Walton County Clerk of Court and to the public land records of the State of Florida, made under the statutory formalities of Fla. Stat. Sections 689.02 and 695.03, that on July 7, 2023 his address was 395 Old Beach Road, Santa Rosa Beach, Florida, not 379 Cherry Street, Auburn, Alabama, and not any other Alabama address. The July 7, 2023 deed is offered on Count I as objective contemporaneous documentary evidence that Defendant Tuberville was self-identifying as a Florida-address holder well within the seven-year Alabama-residency window, on a personally-adopted and recorded public instrument; and on Count III as an additional sworn Florida-residency position from which Defendant Tuberville is now estopped by his own recorded representation to depart. This is not a stray form-fill error: it is the grantee-address recital of a bilateral warranty deed prepared by a Florida title company, reviewed by the grantee, signed by both LaTour grantors before a Florida notary, and recorded

with $5,775.00 in documentary stamp tax paid. See Fla. Stat. § 695.26 (statutory formalities for recorded deeds). Although Defendant Tuberville did not personally sign the July 7, 2023 deed (as a matter of Florida law only the grantors, Daniel T. LaTour and Sarah E. LaTour, were required to sign, see Fla. Stat. §§ 689.01, 695.03, and "the grantee does not sign" a Florida deed), that fact does not diminish the evidentiary weight of the grantee-address recital. It strengthens it. Three independent doctrinal grounds establish that the July 7, 2023 grantee-address recital is legally attributable to Defendant Tuberville as his own representation about his own address on July 7, 2023. First, delivery and acceptance. Under long-settled Florida law, a deed does not take legal effect upon the grantor's signature alone; it takes effect only upon voluntary delivery by the grantor and acceptance by the grantee with mutual intent to pass title. See Bould v. Coe, 63 So. 2d 273 (Fla. 1953); Smith v. Owens, 91 Fla. 995, 108 So. 891 (1926). Defendant Tuberville objectively accepted the July 7, 2023 deed as written, including its grantee-address recital, by permitting the deed to be recorded, by causing or permitting the $5,775.00 documentary stamp tax on $825,000.00 consideration to be paid on the conveyance, and by taking possession and control of the Ridge Road parcel thereafter. The grantee-address field on a Florida purchase deed is a buyer-supplied field: it is provided by, or confirmed by, the buyer during the closing package (buyer information sheet, closing disclosure, and tax-reporting materials), because it tells the county property appraiser and the county tax collector where to mail the ad valorem tax bill and the annual assessment notice. Nothing in Florida law required the July 7, 2023 deed to recite a Florida address for the grantee; the Walton County Clerk would have recorded the same instrument with a stated grantee address of 379 Cherry Street, Auburn, Alabama had Defendant Tuberville so directed. He did not. He directed, or approved, the Florida recital. Second, party admission by adoption. Under Ala. R. Evid. 801(d)(2)(B), a statement is not excluded as hearsay

when a party has manifested adoption or belief in its truth. Defendant Tuberville's acceptance of a deed identifying his address as a Florida address, followed by payment of the documentary stamp tax on that conveyance and recordation of the instrument in the Walton County official land records, is a textbook adoptive admission of the truth of the address recital. Third, self-authenticating public record. The recorded deed is a public record of the State of Florida under Fla. Stat. § 695.26 and self-authenticating under Ala. R. Evid. 902 as a record of a public office. Defendant Tuberville is equitably estopped by his own recorded representation from denying, before this Alabama Circuit Court, an address representation he induced the Walton County Property Appraiser and Walton County Tax Collector to rely on for all subsequent tax-mailing and homestead-eligibility purposes from July 7, 2023 forward. **[Ex. 12]**

14C. In tax year 2018, and only in tax year 2018, Defendant Tuberville and Suzanne Marie Tuberville claimed and received a Florida homestead exemption on the Old Beach Road parcel. The Walton County Tax Collector's certified 2018 Notice of Ad Valorem Tax for the parcel recites on its face "EXEMPTIONS APPLIED: H3, HX," and applies a $50,000 exemption to every non-school taxing authority line item and a $25,000 exemption to each of the two school-district line items. This filing is a sworn representation to the Walton County Property Appraiser, under Florida Statutes Sections 196.031 and 196.061, that on January 1, 2018 the Old Beach Road parcel was the Tubervilles' "permanent residence" in the State of Florida. See Fla. Const. Art. VII, § 6; Fla. Stat. § 196.012 (defining "permanent residence" as the place where a person has his or her true, fixed, and permanent home and principal establishment); Fla. Stat. § 196.031(1)(a). The Walton County Property Appraiser's Application for Homestead Exemption is form DR-501, which is executed under penalty of perjury pursuant to Fla. Stat. § 837.06. The Notice reflects the assessed value reduced by the full Florida homestead exemption authorized under Fla. Const. Art.

VII, § 6 and Fla. Stat. § 196.031(1)(a) and (b), yielding a $50,000 exemption against every non-school taxing authority levy and a $25,000 exemption against each school-district levy. The 2017 bill (issued while the parcel was already titled to the Tubervilles individually and after its mailing address had been changed from Covington, Kentucky, to Santa Rosa Beach, Florida) showed no homestead exemption. Every certified Walton County tax bill for tax years 2019 through 2025 shows no homestead exemption of any kind. The 2018 filing therefore stands alone in the twenty-one-year history of the parcel: a single, discrete, sworn declaration to Florida that the Tubervilles' permanent residence was in Florida on January 1, 2018. **[Ex. 6; Ex. 8]**

14C-1. Under Florida Statute Sections 196.031(1)(a) and 196.011, the H3/HX exemption reflected on the certified 2018 Walton County Notice of Ad Valorem Tax could only have been granted upon a sworn certification, made on or before March 1, 2018 on Florida Department of Revenue Form DR-501, that the Old Beach Road parcel was the applicants' permanent Florida residence as of January 1, 2018. Florida law does not recognize partial-year or prorated homestead exemptions; the 2018 H3/HX exemption attached for the entire 2018 calendar year and required a January 1, 2018 permanent-Florida-residency certification as its exclusive statutory predicate. This full-year 2018 sworn Florida-residency certification is corroborated by Defendant Tuberville's own September 23, 2019 Alabama Form 40 (Residents and Part-Year Residents) return for tax year 2018, on which the "Part Year" residency box is checked and the residency period is entered as "From 8-1 through 12-31, 2018." That return self-certifies that Defendant Tuberville was not an Alabama resident for the period January 1, 2018 through July 31, 2018, and became an Alabama resident, if at all, only on August 1, 2018. Taken together, the two 2018 sworn filings establish that as of September 23, 2019 (the execution date of Defendant Tuberville's Form 40 Part-Year return), Defendant Tuberville had, by his own admission, not been

an Alabama resident for the first seven months of calendar year 2018, and that the Tubervilles had, by operation of Fla. Stat. § 196.031(1)(a) and the active 2018 Walton County homestead exemption on the Old Beach Road parcel, maintained Florida permanent-residency status as of January 1, 2018. The Seven-Year Window under Article V, Section 117 for the November 3, 2026 general election opens on November 3, 2019, approximately forty-one days after the September 23, 2019 execution of Defendant Tuberville's Form 40 Part-Year return. The 2018 sworn Florida filings are therefore offered on Count I as baseline domicile evidence establishing the pre-window Florida domicile against which Defendant Tuberville must prove an affirmative change of domicile to Alabama by November 3, 2019 (see Ex parte Weissinger, 247 Ala. 113, 22 So. 2d 510, 514 (1945) (domicile once established is presumed to continue until the party asserting change carries the burden of proving an affirmative change); Nora v. Nora, 494 So. 2d 16, 18 (Ala. 1986) (same)); and, independently, on Count III as a sworn Florida permanent-residency position, executed under penalty of perjury pursuant to Fla. Stat. § 837.06, that is legally binding on Defendant Tuberville as a party admission under Ala. R. Evid. 801(d)(2)(A) and (B), and against which he is equitably estopped to now assert an inconsistent Alabama-residency position after obtaining and retaining the tax benefits of the 2018 Florida sworn representation. The Count III analysis does not depend on whether calendar year 2018 falls within the Seven-Year Window; the party-admission and equitable-estoppel doctrines operate independently of the Section 117 clock and turn on the inconsistency of the two sworn positions and the benefits obtained from each. **[Ex. 5; Ex. 6]**

14D. The 2018 dual-state homestead structure of the Tuberville family was, on its face, mutually inconsistent, and the manner of its execution corroborates that inconsistency rather than resolving it. On May 10, 2017, Thomas Tucker Tuberville, the elder adult son of Defendant

Tuberville and Suzanne Marie Tuberville, signed the Alabama H1 Regular Homestead Application on the Cherry Street parcel alone, as sole H1 applicant. Under the certified LinkedIn record of Thomas Tucker Tuberville (Ex. 22-H), by May 10, 2017 Tucker Tuberville had completed his Auburn University Bachelor of Business Administration in Finance in December 2015 and had completed a full-time May 2016 through December 2016 term as Assistant Receivers Coach at the University of Cincinnati. Suzanne Marie Tuberville, though a co-record-owner of the Cherry Street parcel under the March 30, 2017 Warranty Deed, did not personally sign the May 10, 2017 Alabama H1 Application and did not personally swear to Alabama primary residence in that instrument. Ala. Code § 40-9-19 defines the Regular Homestead Exemption and its dollar caps. Ala. Code § 40-7-10, in force in identical form since 1957 and applicable at all times relevant to this Complaint, provides that once an H1 Regular Homestead Exemption has been claimed by any person entitled to it, that person "shall be annually credited with such exemption . . . any provision of the law to the contrary notwithstanding," with no requirement of annual re-signature. The May 10, 2017 H1 accordingly continued in force through tax years 2018, 2019, and each subsequent year through tax year 2024, and reduced the ad valorem taxes payable by the record owners of the Cherry Street parcel throughout that period, without any further sworn representation of Alabama residence by Suzanne Marie Tuberville. Separately, the certified 2018 Walton County Notice of Ad Valorem Tax for the Old Beach Road parcel (Ex. 6) recites on its face "EXEMPTIONS APPLIED: H3, HX," reflecting the Florida H3 (Regular Homestead) exemption of $25,000 against every non-school taxing authority and an additional $25,000 exemption against non-school taxing authorities above the first $50,000 of assessed value, together with the HX supplemental homestead exemption. Under Fla. Stat. §§ 196.031(1)(a), 196.011, and 196.012(17), and Fla. Const. Art. VII, § 6, an H3/HX exemption of that character

could only have been granted upon a sworn Homestead Exemption Application filed on or before March 1, 2018, executed under penalty of perjury pursuant to Fla. Stat. § 837.06, certifying that the Old Beach Road parcel was the applicants' permanent Florida residence as of January 1, 2018. The 2018 H3/HX exemption reflected on the face of Exhibit 6 is therefore documentary evidence of a sworn Florida permanent-residence certification by the record owners of the Old Beach Road parcel, Defendant Tuberville and Suzanne Marie Tuberville, as of January 1, 2018. That sworn Florida permanent-residence certification for tax year 2018 is legally inconsistent with contemporaneous continuous "resident citizen" status in Alabama for the same period, and is also inconsistent with Defendant Tuberville's June 14, 2026 sworn statements before the Alabama Republican Party Candidate Committee that the Tuberville family had used the Cherry Street parcel as an Alabama residence since 2017. Defendant Tuberville, by virtue of his marital community with Suzanne Marie Tuberville and his co-record ownership of the Old Beach Road parcel throughout tax year 2018, was the direct beneficiary of both the 2018 Alabama H1 (received through auto-continuation from Tucker Tuberville's May 10, 2017 application against the Cherry Street parcel co-owned by his wife) and the 2018 Florida H3/HX (received through the sworn Florida permanent-residence certification necessarily made by the record owners of the Old Beach Road parcel to obtain the H3/HX exemption reflected on Exhibit 6). The 2018 dual-state structure is thus not a claim that any single individual swore two mutually exclusive sworn statements in one identical instrument; it is a claim, supported by the certified documentary record, that Defendant Tuberville personally received simultaneous dual-state homestead benefits in tax year 2018 that under governing Alabama and Florida law he was not entitled to receive concurrently, and that the 2018 Florida H3/HX exemption reflected on Exhibit 6 could only have been obtained through a sworn Florida permanent-residence certification that is inconsistent with

the 2018 Alabama H1 auto-continuing on the same tax year in the same family unit. **[Ex. 2; Ex. 3; Ex. 6; Ex. 20]**

14D-1. Defendant Tuberville's and Suzanne Marie Tuberville's objective conduct during and immediately after the same 2018 tax year in which the Florida H3/HX homestead exemption was claimed on the Old Beach Road parcel confirms that their sworn Florida representation reflected their actual intent as to domicile and permanent residence. Defendant Tuberville and Suzanne Marie Tuberville acquired Lot 20, Marina Marin Estates, Tallapoosa County, Alabama, commonly known as 656 Marin Parkway, Dadeville, Alabama 36853, jointly by Statutory Warranty Deed executed April 19, 2001 by Marin Properties, L.L.C. as Grantor and recorded April 23, 2001 in the Tallapoosa County Probate Office as Recording Card No. 159935 (Lot 20, Amended Plat of Marina Marin Estates, Plat No. 1, Plat Book 9, Page 47). They held that property jointly and continuously for more than seventeen years, from April 19, 2001 through September 5, 2018, encumbering it during that period with recorded mortgages including a September 29, 2006 mortgage to Colonial Bank, N.A. recorded October 5, 2006 as Instrument No. 220923 (nominee MERS, $735,000.00), and an October 20, 2008 Southern States Bank mortgage (Card No. 243363). By deed recorded September 5, 2018 at Book 2018, Instrument No. 326599, they conveyed all of their right, title, and interest in Lot 20, Marina Marin Estates, to Rodney Q. Boyer and Dorita A. Boyer as grantees. On September 13, 2018, the Tubervilles' remaining Southern States Bank mortgage on Lot 20 was satisfied and released at Book 2018, Instrument No. 326788, and on September 24, 2018, the Tubervilles' remaining Colonial Bank / Mortgage Electronic Registration Systems, Inc. mortgage on Lot 20 was satisfied and released at Book 2018, Instrument No. 327005, closing out all Tuberville-secured Alabama real property indebtedness recorded in Tallapoosa County. The September 2018 sale of the Marina Marin Estates lakefront property,

together with the contemporaneous satisfaction of every remaining Tuberville Alabama mortgage of record in Tallapoosa County, occurred within the same 2018 tax year as the sworn Florida H3/HX homestead representation on the Old Beach Road parcel described in Paragraph 14D above. The 2023 disposition of the Tuberville family's Tiger Farms LLC farmland further completed this Alabama divestment pattern. Defendant Tuberville was not added as a titleholder of record on the Cherry Street parcel until May 7, 2024, more than five and one-half years after the September 2018 closeout of the Tubervilles' Tallapoosa County holdings. Together, these documentary facts constitute objective evidence of intent to divest from Alabama and to establish and maintain Florida, not Alabama, as Defendant Tuberville's domicile and permanent residence during the tax year immediately preceding, and throughout, the constitutional seven-year window that began November 3, 2019. **[Ex. 2; Ex. 3; Ex. 6; Ex. 13]**

14D-2. The Tallapoosa County and Macon County recorded instruments authenticating the Marin Parkway and Tiger Farms conveyances described in Paragraph 14D-1 above are grouped and produced as Exhibit 13, and consist, in chronological order, of: (a) the April 19, 2001 Statutory Warranty Deed from Marin Properties, L.L.C. to Thomas H. Tuberville and Suzanne M. Tuberville, recorded April 23, 2001 in the Tallapoosa County Probate Office as Recording Card No. 159935 (Ex. 13-A); (b) the September 5, 2018 Warranty Deed With Right of Survivorship from Thomas H. Tuberville and Suzanne M. Tuberville, husband and wife, to Dorita A. Boyer and Rodney Q. Boyer, recorded as Document No. 326599 (Ex. 13-B); (c) the September 13, 2018 Release of Mortgage by Southern States Bank of the October 20, 2008 mortgage on Lot 20, recorded as Document No. 326788 (Ex. 13-C); (d) the September 24, 2018 Release of Mortgage by Mortgage Electronic Registration Systems, Inc., as nominee for Colonial Bank, N.A., of the September 29, 2006 $735,000.00 mortgage originally recorded October 5, 2006 as Instrument No.

220923, recorded as Document No. 327005 (Ex. 13-D); and (e) the July 21, 2023 General Warranty Deed With Right of Survivorship from Tiger Farms, LLC, an Alabama Limited Liability Company, to William P. Ware III and Erica C. Ware, husband and wife, for stated consideration of $1,075,000.00 and Alabama documentary deed tax of $1,104.00, recorded as Doc. No. 373349 in the Tallapoosa County Probate Office (52.6% Tallapoosa County / 47.4% Macon County) (Ex. 13-E), with the Real Estate Sales Validation Form stating the Grantor mailing address as 379 Cherry Street, Auburn, Alabama 36830, and the recorded deed reflecting that Thomas H. Tuberville, Suzanne M. Tuberville, and Eddie Gran are the Members of Tiger Farms, LLC, and each executed the deed in that capacity. The Marin Parkway acquisition, seventeen-year hold, September 2018 sale, and contemporaneous mortgage releases (Exs. 13-A through 13-D) are offered as documentary evidence of the Tubervilles' pre-October 1, 2018 divestment of every recorded Alabama fee-simple interest of the marital estate outside the Cherry Street parcel, immediately preceding the 2018 tax year on which the concurrent 2018 dual-state homestead benefits received by Defendant Tuberville, as described in Paragraph 14D above hinge. The July 21, 2023 Tiger Farms conveyance (Ex. 13-E) is offered as documentary evidence that the Alabama-divestment pattern initiated by the 2018 Marin Parkway sale continued through the constitutional seven-year residency window that opened November 3, 2019, and was substantially complete more than nine months before Defendant Tuberville was first added to the Cherry Street deed of record on May 7, 2024. The Alabama Secretary of State certified Business Entity Record for Tiger Farms, LLC (Ex. 22-P) further reflects that the original Registered Agent of Tiger Farms, LLC upon its February 2, 2005 formation was Douglas R. Cannon, and that Douglas R. Cannon and Amanda G. Cannon were among the Members of record on the April 7, 2009 Partner/Member/Shareholder Change filing, prior to the current three-Member composition of Thomas H. Tuberville, Suzanne M.

Tuberville, and Edward "Eddie" Gran. The July 21, 2023 Tiger Farms Real Estate Sales Validation Form (Ex. 13-E) recites the single Grantor mailing address of record as 379 Cherry Street, Auburn, Alabama 36830, and reflects that each of Thomas H. Tuberville, Suzanne M. Tuberville, and Edward "Eddie" Gran personally executed the deed in that Member capacity. Edward "Eddie" Gran is a third-party business partner of Defendant Tuberville and Suzanne M. Tuberville in Tiger Farms, LLC, and Edward "Eddie" Gran holds no residential association with the 379 Cherry Street parcel reflected on any public record before the Court. The July 21, 2023 recital that a third-party non-resident business partner personally adopted 379 Cherry Street as his own Member address of record on a deed he personally signed is documentary evidence that the parcel operated on that date as a shared Tiger Farms business address, and is materially inconsistent with Defendant Tuberville's June 14, 2026 sworn testimony before the Alabama Republican Party Candidate Committee that the same parcel is the Alabama family residence of the Tuberville family. The 379 Cherry Street parcel is itself an Auburn-area parcel originally developed and held by Douglas R. Cannon through Annalue Village, L.L.C. (Ex. 22-M). Together, Exhibits 13-A through 13-E rebut any inference that Defendant Tuberville acquired Alabama domicile through continuing Alabama real-property ownership during the pre-2019 buildup to, or the interior of, the constitutional seven-year residency window. **[Ex. 13]**

14E. On June 20, 2025, 24 days after Defendant Tuberville's May 27, 2025 gubernatorial announcement, dual special warranty deeds were executed transferring both Florida parcels to the POB Revocable Trust; both deeds were recorded on July 22, 2025 in the Walton County Clerk of Court and Comptroller, 56 days after the announcement: Instrument No. 20250025701 (Old Beach Road parcel, Book 3365, Page 1473) at 10:09 A.M. and Instrument No. 20250025702 (Ridge Road parcel, Book 3365, Page 1477) at 10:09 A.M. Both deeds contain the sworn recital:

"This property is not the homestead real property of Grantor." The Grantor address of record on both deeds is 379 Cherry Street, Auburn, Alabama 36830. On February 6, 2026, ten days after Plaintiff filed his initial January 27, 2026 formal written challenge to Defendant Tuberville's constitutional residency eligibility with the Alabama Republican Party, and four days after the Alabama Republican Party Steering Committee's February 2, 2026 decision on that initial challenge, the Ridge Road parcel was listed for sale under MLS #981580 at $1,055,000, with the listing field "Homestead: No." The sworn deed recitals, executed on June 20, 2025 (24 days after the May 27, 2025 announcement) and recorded on July 22, 2025 (56 days after the announcement) and less than six months before the January 5, 2026 candidate qualifying window, are objective documentary confirmation that the Tubervilles now assert, after more than a decade of Florida ownership and the 2018 Florida H3/HX homestead exemption expressly recited on the certified Walton County Notice of Ad Valorem Tax, that neither Florida parcel has been their homestead. That current assertion is fundamentally at odds with the 2018 sworn homestead representation reflected on the certified Walton County Notice of Ad Valorem Tax for the Old Beach Road parcel described in Paragraph 14C above. **[Ex. 6; Ex. 8; Ex. 14; Ex. 15]**

14E-1. The July 22, 2025 sworn recitals are addressed here on two independent doctrinal footings that Plaintiff pleads distinctly to avoid conflation. First, the recitals are silent as to the date on which Florida homestead status ended, and Florida deed practice under Fla. Stat. Sections 689.01 and 695.03 requires only a present-tense statement of homestead status at the moment of conveyance; the July 22, 2025 recitals therefore do not, and are not offered to, establish that Florida homestead status continued into the constitutional seven-year window. The certified Walton County Property Appraiser records for both parcels reflect that the H3/HX Florida homestead exemption on the Old Beach Road parcel was affirmatively surrendered for tax year

2019 forward. Second, that surrender is nonetheless material because it establishes only a tax-code termination of the Florida homestead exemption; it does not, as a matter of Alabama constitutional law, establish that Defendant Tuberville acquired an Alabama domicile under Jacobs v. Ryals, 401 So. 2d at 778, or that he became an Alabama inhabitant under Article V, Section 117 within the meaning of Ex parte Weissinger, 22 So. 2d at 514. Termination of a Florida homestead exemption is evidence that Defendant Tuberville and his spouse ceased claiming a Florida tax benefit; it is not evidence that Defendant Tuberville physically relocated to Alabama, and Defendant Tuberville could have terminated the Florida homestead while continuing to physically reside in Florida, Washington, D.C., or elsewhere without ever inhabiting Alabama. Third, the evidentiary weight of the July 22, 2025 recitals is instead threefold. (a) They are the first sworn statements about the Florida properties that Defendant Tuberville personally signed and notarized (as opposed to the statutorily-required 2018 Walton County homestead filing that produced the H3/HX exemption reflected on Exhibit 6 but is not itself of record here, the Alabama H1 Application signed May 10, 2017 by Tucker Tuberville alone, and the September 23, 2019 Form 40 signed with a preparer imprint), and they concede on their face that Defendant Tuberville held continuing personal ownership and beneficial interest in Florida real property through July 22, 2025, well inside the constitutional seven-year window. (b) They corroborate a coordinated post-announcement asset-repositioning sequence: the POB Revocable Trust was formed October 28, 2024 (approximately seven months before the May 27, 2025 gubernatorial announcement), the Auburn parcel was conveyed to the Trust June 20, 2025 (twenty-four days after the announcement), the two Florida parcels were conveyed to the Trust July 22, 2025 (fifty-six days after the announcement, and thirty-two days after the Auburn conveyance to the same Trust), and the Auburn parcel was reclassified from H1 to H4 senior homestead in Defendant Tuberville's

own name on November 14, 2025 (one hundred seventy-one days after the announcement). Read as a sequence, the four transactions constitute a single choreographed residency-paper-trail construction executed within one hundred seventy-one days of the gubernatorial announcement, and are offered as evidence of Defendant Tuberville's contemporaneous consciousness of the residency deficiency and of an affirmative attempt to cure that deficiency by paper. (c) The November 14, 2025 H4 reclassification, the terminal event in that sequence, is the first sworn Alabama primary-residence certification Defendant Tuberville has personally signed on the Cherry Street parcel, and the first Alabama homestead-exemption application of any kind that Defendant Tuberville has personally signed of record; before November 14, 2025, every prior sworn Alabama homestead certification pertaining to the Cherry Street parcel was signed by his son (the May 10, 2017 H1 Application by Thomas Tucker Tuberville alone) or executed with a preparer imprint (the September 23, 2019 Form 40), never by Defendant Tuberville himself. The recorded warranty deeds by which Defendant Tuberville has personally signed as grantor on Alabama parcels of record (Ex. 13-B September 5, 2018 Tuberville to Boyer, and Ex. 13-E July 21, 2023 Tiger Farms, LLC to Ware) are conveyancing instruments, not sworn primary-residence certifications, and none of them assert Alabama primary-residence status; to the contrary, the July 21, 2023 Tiger Farms deed (Ex. 13-E) recites the Grantor mailing address as 379 Cherry Street, Auburn, Alabama 36830 in a capacity as LLC Member, not as a personal-residence certification, and the July 22, 2025 POB conveyances (Ex. 14) recite that the Florida parcels were "not the homestead real property of Grantor." (d) The July 22, 2025 recitals do not stand alone. On July 7, 2023, less than twenty-four months before the June 20, 2025 execution of the July 22, 2025 recitals and squarely within the constitutional seven-year Alabama residency window, Defendant Tuberville personally adopted and accepted, by voluntary delivery-and-acceptance under Bould

v. Coe, 63 So. 2d 273 (Fla. 1953) and Smith v. Owens, 91 Fla. 995, 108 So. 891 (1926), and by payment of $5,775.00 in Florida documentary stamp tax reflecting a consideration of $825,000.00 computed at the Florida documentary stamp tax rate of $0.70 per $100 of consideration outside Miami-Dade County under Fla. Stat. Section 201.02, a recorded warranty deed to a second Florida parcel (463 Ridge Road, Santa Rosa Beach, Florida) on which he adopted, as his own contemporaneous representation of his own address on the face of the recorded instrument, the Florida address 395 Old Beach Road, Santa Rosa Beach, Florida 32459 (a party admission under Ala. R. Evid. 801(d)(2)(A) (party's own statement) and 801(d)(2)(B) (adoptive admission), from which Defendant Tuberville is equitably estopped to depart). That July 7, 2023 grantee-address recital, made under the statutory formalities of Fla. Stat. Sections 689.02 and 695.03 and accompanied by $5,775.00 in documentary stamp tax paid, reflecting a consideration of $825,000.00 computed at the Florida documentary stamp tax rate of $0.70 per $100 of consideration under Fla. Stat. Section 201.02, is the most contemporaneous, personally-executed, formally-recorded representation Defendant Tuberville has made about his own address during the seven-year Alabama-residency window, and it is a Florida address, not an Alabama address. Read together, the July 7, 2023 Ridge Road deed and the July 22, 2025 POB conveyances bracket a period during which Defendant Tuberville himself, on his own signature and under formal recording formalities, first declared a Florida address on a Florida deed (July 7, 2023) and then, once his candidacy was announced, attempted to unwind that public documentary record by conveying the same parcels into a family trust with a boilerplate no-homestead recital (July 22, 2025). The July 7, 2023 self-declaration is contemporaneous evidence of the Florida-residency status Defendant Tuberville must now displace; the July 22, 2025 conveyances are evidence of his post-hoc attempt to paper over that status. Under Jacobs v. Ryals, 401 So. 2d at 778, the burden of

proving change of domicile is on the party asserting the change, and the presumption of continuing prior domicile is not overcome by paper cures undertaken after the fact of a public candidacy announcement. **[Ex. 3; Ex. 12; Ex. 14]**

14E-2. The Florida-title timeline of Defendant Tuberville personally, and of the marital estate of Defendant Tuberville and Suzanne M. Tuberville, further establishes that the July 22, 2025 conveyances were not a bona fide divestiture of Florida property but a paper repackaging of Florida property into a Suzanne-controlled revocable trust on the eve of the general election. Defendant Tuberville personally held direct title to Florida real property continuously from July 31, 2012 through July 22, 2025, encompassing the first five years, eight months, and nineteen days of the Article V, Section 117 seven-year gubernatorial residency window that runs from November 3, 2019 to November 3, 2026, and executed the July 22, 2025 conveyance of his last Florida parcel of record only approximately fifteen months before the November 3, 2026 general election. That July 22, 2025 conveyance was not, however, an arm's-length divestiture. It was a $10.00 nominal-consideration Special Warranty Deed, marked exempt from Florida documentary stamp tax, from Defendant Tuberville and his spouse Suzanne M. Tuberville, as husband-and-wife grantors, to Suzanne M. Tuberville, as Trustee of the POB Revocable Trust dated October 28, 2024, with future tax bills to be mailed to the same 379 Cherry Street, Auburn, Alabama grantor address. See Walton County, Florida Instrument No. 20250025701, Book 3365, Page 1473, recorded July 22, 2025 at 10:09 A.M. Because the POB Revocable Trust is revocable by its own terms, and because Defendant Tuberville personally signed and acknowledged the July 22, 2025 deed as a grantor before a Florida notary, the July 22, 2025 conveyance did not extinguish Defendant Tuberville's beneficial interest in, or control over, the 395 Old Beach Road parcel. It repackaged that interest into a Suzanne-controlled revocable trust while Defendant Tuberville

himself performed one more sworn Florida act, on Florida soil, before a Florida notary, only fifteen months before the November 3, 2026 general election. **[Ex. 14]**

14E-3. Three additional doctrinal footings independently defeat any argument by Defendant Tuberville that the July 22, 2025 conveyance was a bona fide divestiture of his Florida beneficial interest. First, under the Corporate Warranty Deed of July 31, 2012 (Walton County CFN 1204003, OR Book 2896, Page 2685), BYVW 211, LLC conveyed the Old Beach Road parcel to "Thomas Hawley Tuberville and Suzanne Tuberville, husband and wife," as joint grantees, with no contrary language on the face of the deed. Under Florida law, a conveyance to a husband and wife jointly is presumed to create a tenancy by the entirety, see Beal Bank, SSB v. Almand & Associates, 780 So. 2d 45, 54 (Fla. 2001), and title accordingly vested in Defendant Tuberville and Suzanne Marie Tuberville as tenants by the entirety with each spouse owning the entire parcel and neither spouse able to convey the parcel unilaterally. The July 22, 2025 Special Warranty Deed (Walton County Instrument No. 20250025701) is signed by both Defendant Tuberville and Suzanne Marie Tuberville as husband-and-wife grantors precisely because Florida entireties doctrine required both spouses to join in the conveyance in order to sever the entireties estate; Defendant Tuberville therefore held, and personally conveyed, the entire 395 Old Beach Road parcel on July 22, 2025, and not a mere fractional undivided interest. Second, under Florida Statute Section 736.0602(1), a Florida trust is presumed revocable unless the trust instrument expressly provides otherwise, and the settlor of a revocable trust retains full power to revoke or amend the trust at any moment and reclaim the trust property; and under Florida Statute Section 736.0505(1)(a), during the settlor's lifetime the property of a revocable trust remains subject to the claims of the settlor's creditors and is treated for beneficial-ownership purposes as the settlor's own property. Because the July 22, 2025 Special Warranty Deed was executed by both spouses as

husband-and-wife grantors conveying entireties property, and because under Florida Statute Section 736.0103(21) a "settlor" is any person who "creates or contributes property to a trust", Defendant Tuberville was, and remains, a contributor-settlor of the property he conveyed to the POB Revocable Trust dated October 28, 2024, and retains the power to revoke his contribution and reclaim the parcel; in the alternative, and pleaded distinctly to close the doctrinal gap, if Suzanne Marie Tuberville is the sole settlor of the POB Revocable Trust as reflected on the face of the trust instrument, then the July 22, 2025 conveyance was in substance a gift by Defendant Tuberville of his entireties interest in the Old Beach Road parcel to a trust settled by his spouse alone, executed fifty-six days after his May 27, 2025 gubernatorial announcement, which timing and structure is itself independent evidence of the litigation-driven paper repositioning of Florida beneficial ownership that Plaintiff pleads. Third, the July 22, 2025 conveyance of the Old Beach Road parcel was executed simultaneously with a materially identical Special Warranty Deed conveying the 463 Ridge Road parcel to the same POB Revocable Trust, Walton County, Florida Instrument No. 20250025702, Book 3365, Page 1477, recorded July 22, 2025 at 10:09 A.M., confirming that the July 22, 2025 conveyances were a coordinated dual-parcel repackaging of both Tuberville Florida beach parcels into the Suzanne-controlled revocable trust structure, and not an isolated arm's-length transaction with respect to any single parcel. **[Ex. 14]**

14E-4. The Walton County, Florida Tax Collector's certified ad valorem tax notices for the Old Beach Road parcel (Parcel 11-3S-20-34020-000-0140) and the Ridge Road parcel (Parcel 03-3S-20-34221-000-0050) further corroborate that Defendant Tuberville and Suzanne Marie Tuberville have at no time submitted an Alabama address of record to the Walton County Tax Collector for either Florida parcel during the constitutional seven-year Alabama residency window. The certified eighteen-year owner-directed mailing-address chain for the Old Beach

Road parcel, reflecting the address of record for BYVW 211, LLC (attention Suzanne Marie Tuberville) through July 31, 2012, and for Defendant Tuberville and Suzanne Marie Tuberville jointly thereafter (with tax year 2025 in the name of the POB Revocable Trust as post-conveyance owner of record), reflects the following sequence: (i) tax years 2008 and 2009, mailing to 2603 Danbury Drive, Auburn, Alabama 36830, with no Florida homestead exemption of record; (ii) tax years 2010 through 2012, mailing to 9018 County Road 6860, Lubbock, Texas 79407, with no Florida homestead exemption of record; (iii) tax years 2013 and 2014, mailing to 900 Adams Crossing Suite 3700, Cincinnati, Ohio 45202, with no Florida homestead exemption of record; (iv) tax years 2015 and 2016, mailing to 1174 Grays Peak, Covington, Kentucky 41011, with no Florida homestead exemption of record; (v) tax year 2017, mailing to 395 Old Beach Road, Santa Rosa Beach, Florida 32459, with no Florida homestead exemption of record; (vi) tax year 2018, mailing to 395 Old Beach Road, Santa Rosa Beach, Florida 32459, with the base HX Florida homestead exemption under Fla. Stat. Section 196.031(1)(a) and the additional H3 banded Florida homestead exemption under Fla. Stat. Section 196.031(1)(b) applied in a combined amount of $50,000; and (vii) tax years 2019 through 2024, mailing to 395 Old Beach Road, Santa Rosa Beach, Florida 32459, in the names of Defendant Tuberville and Suzanne Marie Tuberville jointly as record owners, with Florida homestead affirmatively stripped and the assessed value reflected in full against the ad valorem levy; and (viii) tax year 2025, mailing to the same 395 Old Beach Road, Santa Rosa Beach, Florida 32459 address, in the name of the POB Revocable Trust with Suzanne Marie Tuberville, Trustee, as attention party, following the July 22, 2025 recorded conveyance of the parcel from Defendant Tuberville and Suzanne Marie Tuberville, husband and wife, to the POB Revocable Trust, with Florida homestead not claimed. The 2017 pivot in owner-directed mailing address coincides with Defendant Tuberville's May 24, 2017 Florida voter

registration, following Suzanne Marie Tuberville's earlier February 10, 2017 Florida voter registration, the July 2017 ESPN promotional video in which Defendant Tuberville stated on the record that he had "moved to Santa Rosa Beach, Florida," and the March 30, 2017 wife-and-son purchase of the Cherry Street parcel in Auburn, Alabama. The 2018 H3/HX Florida homestead was silently stripped beginning tax year 2019, contemporaneously with the ramp of the 2020 United States Senate campaign, and has not been reinstated in any subsequent tax year through and including tax year 2025. The certified Ridge Road tax notices for tax years 2023, 2024, and 2025 mirror the Old Beach Road mailing pattern. Every ad valorem tax notice issued by the Walton County Tax Collector for the Ridge Road parcel since the July 7, 2023 acquisition has been mailed to 395 Old Beach Road, Santa Rosa Beach, Florida 32459, notwithstanding that Defendant Tuberville had by then been the United States Senator from Alabama for more than two and one-half years. The Ridge Road grantee-address recital on the July 7, 2023 acquisition deed (Walton County Instrument No. 20230024285, Book 3295, Page 1257) was itself 395 Old Beach Road, Santa Rosa Beach, Florida 32459, the 2023 Ridge Road tax bill was paid jointly by Thomas Hawley Tuberville and Suzanne M. Tuberville from that same Florida address, and the 2024 and 2025 Ridge Road tax bills were paid by Suzanne M. Tuberville alone from that same Florida address, none of them by Defendant Tuberville from any Alabama address. Read together with the Old Beach Road eighteen-year mailing-address chain, the Ridge Road three-year mailing-address record establishes that the Tubervilles continuously and voluntarily elected a Florida address of record for the mandatory annual tax-notice mailing on both Florida parcels under Fla. Stat. § 197.322(3) (2018) throughout the Article V, Section 117 seven-year Alabama residency window, and made that election in every year homestead was claimed under penalty of ineligibility for the Florida homestead exemption under Fla. Stat. § 196.031(5) (2018). The owner-directed mailing-

address record is objective documentary evidence of physical residence orientation that Defendant Tuberville cannot recharacterize by post-announcement paper conveyances or by boilerplate homestead recitals. **[Ex. 8; Ex. 15; Ex. 16]**

D. February 6, 2026 MLS Listing of 463 Ridge Road During Public Constitutional-Eligibility Scrutiny

14F. On February 6, 2026, during a period of active public constitutional-eligibility scrutiny of Defendant Tuberville's Alabama residency, the Tubervilles listed the Ridge Road parcel for sale on the Emerald Coast Association of Realtors Multiple Listing Service under MLS Listing No. 981580 at an asking price of $1,055,000, with the listing field "Homestead: No." The February 6, 2026 listing was a re-listing of the same parcel following an original list date of July 23, 2025, one day after the July 22, 2025 recorded conveyance of the parcel to the POB Revocable Trust. The February 6, 2026 listing was published fourteen days after the January 23, 2026 close of Alabama Republican Party candidate qualifying (the same qualifying window in which Defendant Tuberville filed his sworn Statement of Economic Interests), and 102 days before the May 19, 2026 Republican Primary Election. The February 6, 2026 MLS listing therefore documents three legally material propositions. First, the Tubervilles continued to hold two Florida beach parcels through the entire pre-primary period, and did not begin to divest themselves of Florida real property until candidate qualifying was already complete. Second, the Tubervilles' own listing agent, at their direction, publicly represented on the Multiple Listing Service that the Ridge Road parcel was not homestead property, consistent with the July 22, 2025 sworn “not homestead” recital on the deed transferring the parcel to the POB Revocable Trust. Third, the February 6, 2026 listing was published during a period of active public constitutional-eligibility scrutiny of Defendant Tuberville's Alabama residency, including the anticipated Alabama Republican Party hearing challenge that was subsequently heard on June 14, 2026, demonstrating

that the Tubervilles were actively marketing and preparing to divest Florida real property on the same timeline as their asserted Alabama-only residency was being publicly tested. The February 6, 2026 MLS listing is not, standing alone, dispositive of the constitutional inquiry, but it is objective documentary confirmation of purposive residency restructuring on the eve of and during the election cycle, and is offered on Count I as corroborating evidence of the pattern pleaded in Paragraphs 14A through 14E and, on Count III, as an admission against interest binding under Ex parte First Alabama Bank, 883 So. 2d at 1244-45. **[Ex. 9]**

14G. The Madison County, Alabama Property Appraiser's certified property record and tax history for Parcel 25-05-16-0-000-005.187 (PIN 572379, Account No. 623870, 124 Williamette Drive, Madison, Alabama 35756-8003) reflects the ordinary-course indicia of a bona fide Alabama residence held jointly by Defendant Tuberville and his younger adult son, Troy Allen Tuberville, and provides a direct documentary comparator to the Cherry Street parcel titled to Defendant Tuberville's elder adult son, Thomas Tucker Tuberville. The Madison County record reflects (i) joint title held by "Tuberville Troy AND Thomas Hawley," reflecting the joint father-and-adult-son ownership structure that Defendant Tuberville did not adopt on the Cherry Street parcel until the May 7, 2024 conveyance described in Paragraph 10; (ii) an Alabama H1 Regular Homestead Exemption reflected against the Madison County parcel, with the mailing address of the parcel itself (124 Williamette Drive, Madison, Alabama) as the address of record; (iii) tax year 2025 ad valorem taxes paid by "Tuberville Troy" personally on October 16, 2025 in the amount of $2,521.47, reflecting the adult-son occupant of the parcel paying his own Alabama property taxes as the ordinary-course indicium of bona fide adult-son residence; and (iv) no post-candidacy paper repositioning of any kind. The Madison County record is not offered as an exhibit of any alleged wrongdoing by Troy Allen Tuberville; it is offered as a documented ordinary-course

Alabama-residence comparator that Defendant Tuberville could have created for the Cherry Street parcel at any time between March 30, 2017 and May 27, 2025 and elected not to. The asymmetry between the Cherry Street parcel and the Williamette Drive parcel is direct documentary evidence that the Cherry Street titling of March 30, 2017 to Suzanne Marie Tuberville and Thomas Tucker Tuberville, and the corresponding May 10, 2017 H1 Application signed by the elder son Thomas Tucker Tuberville alone, was, from inception, a nominal arrangement to preserve an Alabama address of convenience for Defendant Tuberville rather than a bona fide Alabama primary residence. The comparator is offered on Count I as corroborating documentary evidence of the pattern pleaded in Paragraphs 10 through 14F and, on Count III, as an admission-adjacent documentary indicium of purposive residency construction binding under Ex parte First Alabama Bank, 883 So. 2d at 1244-45. **[Ex. 3; Ex. 17]**

14H. The record establishes an independent documentary chain corroborating that the 379 Cherry Street, Auburn, Alabama parcel has functioned continuously since March 30, 2017 as a Tuberville-family administrative and business address of record, and not as the bona fide Alabama primary residence of Defendant Tuberville, as follows: (a) On March 30, 2017, Jonathon Houston Hull and Pamela R. Hull, as the immediate predecessor Grantors, conveyed the 379 Cherry Street parcel to Thomas Tucker Tuberville (Defendant's adult son, hereinafter "Tucker Tuberville") and Suzanne Marie Tuberville (Defendant's spouse, hereinafter "Suzanne Tuberville") for a stated consideration of $260,000. The March 30, 2017 conveyance was made to Tucker Tuberville and Suzanne Tuberville only; Defendant Thomas Hawley Tuberville is not a Grantee on the March 30, 2017 deed, and Defendant Thomas Hawley Tuberville was not added to record title on the 379 Cherry Street parcel until May 7, 2024, more than seven years after the March 30, 2017 conveyance, more than four and one-half years after the November 3, 2019 opening of the Article

V, Section 117 seven-year Alabama residency window, and approximately thirty months before the November 3, 2026 Alabama general election. (b) The Intelius parcel-side report for 379 Cherry Street (Ex. 22-D) identifies three address-associated residents of the parcel: Suzanne Tuberville, Douglas R. Cannon, and Sarah A. Butler. Individually-run Intelius reports and their shared-address records reflect the following documented occupancy periods at 379 Cherry Street: (i) Thomas Tucker Tuberville, address history April 12, 2017 to September 27, 2019 (two years five months eighteen days) (Ex. 22-C); (ii) Suzanne Marie Tuberville, address history commencing December 1, 2006 and continuous through the date of this notarized complaint (Ex. 22-B); (iii) Jonathon Houston Hull, shared-address window with Thomas Tucker Tuberville April 12, 2017 to May 29, 2019 (two years one month seventeen days), commencing thirteen days after the Hulls' March 30, 2017 sale of the parcel to Thomas Tucker Tuberville and Suzanne Marie Tuberville and continuing more than two years past the sale (Ex. 22-C); (iv) Sarah A. Butler, address history September 1, 2018 to September 1, 2021 (three years) (Ex. 22-A); (v) Douglas R. Cannon, parcel-side residency record January 1, 2011 to September 30, 2021 (ten years nine months) (Ex. 22-D), spanning Annalue Village LLC's ownership of the parcel from the December 27, 2007 acquisition deed as reflected in the Lee County Owner History table (Lee County Book 2326, Page 913, Instrument 263523) through the August 26, 2010 conveyance to Amanda G. Cannon as reflected in the Lee County Owner History table (Lee County Book 2369, Page 318, Instrument 263524) (Ex. 3, Owner History); Amanda G. Cannon's ownership from August 26, 2010 through the August 1, 2014 conveyance to Jonathon H. Hull and Pamela R. Hull (Lee County Book 2441, Page 528, Instrument 263525) (Ex. 3, Owner History); the March 30, 2017 warranty deed from the Hulls to Thomas Tucker Tuberville and Suzanne Marie Tuberville (Lee County Book 2508, Page 612) (Ex. 2; Ex. 3, Owner History); and Thomas Tucker Tuberville's

September 27, 2019 Intelius-documented departure from the parcel (Ex. 22-C). Defendant Thomas Hawley Tuberville is not reflected as an Intelius-documented resident of 379 Cherry Street during any period from March 30, 2017 through the June 14, 2026 Alabama Republican Party Candidate Committee hearing; his connection to the parcel appears in the deed record only from the May 7, 2024 quitclaim deed (Lee County Book 2720, Page 391, Instrument 5008051) (Ex. 2; Ex. 3, Owner History) through the June 20, 2025 transfer to the POB Revocable Trust (Lee County Book 2757, Page 828, Instrument 5124780) (Ex. 2; Ex. 3, Owner History). The Lee County Payment History further reflects that Doug Cannon personally paid the 2010 property taxes on the 379 Cherry Street parcel on December 30, 2010 while Annalue Village LLC held title, and personally paid Amanda G. Cannon's 2011 property taxes on December 28, 2011 while Amanda G. Cannon held title (Ex. 3, Payment History), evidencing Doug Cannon's continuing personal payment of Annalue Village LLC and Cannon-family tax obligations on the parcel during the development and initial post-development years. Intelius address-record data reflects Suzanne Marie Tuberville as associated with the 379 Cherry Street address in Auburn, Lee County, Alabama as early as December 1, 2006 (Ex. 22-B; Ex. 22-D), a date preceding Annalue Village LLC's December 27, 2007 acquisition of the parcel (Ex. 3, Owner History) by more than one year, preceding the parcel's Lee County-recorded 2010 construction date (Ex. 3, Property Record Card) by approximately four years, and preceding by more than ten years the March 30, 2017 warranty deed from Jonathon H. Hull and Pamela R. Hull that constitutes the earliest documented Tuberville-family ownership interest of record for the parcel (Ex. 2; Ex. 3, Owner History). The approximately ten-year interval between the December 1, 2006 Intelius first-seen association and the March 30, 2017 recorded deed conveyance reflects a documented Suzanne Marie Tuberville address-record association with the 379 Cherry Street parcel that is not

accounted for in the deed record produced at the June 14, 2026 Alabama Republican Party Candidate Committee hearing. (c) The Intelius address history for Tucker Tuberville (Ex. 22-C) further reflects that immediately upon vacating the 379 Cherry Street parcel on September 27, 2019, Tucker Tuberville relocated to 36 East 36th Street, Apartment 6B, New York, New York 10016, where he resided from September 24, 2019 to January 6, 2021, and thereafter to 280 Park Avenue South, Apartment 4D, New York, New York 10010, where he resided from August 1, 2020 to March 28, 2023. Tucker Tuberville's Intelius address history further reflects that on June 1, 2023, Tucker Tuberville relocated to 463 Ridge Road, Santa Rosa Beach, Florida 32459, in Walton County, Florida, where he has remained continuously through the date of this notarized complaint (Ex. 22-C). (d) Tucker Tuberville's certified LinkedIn employment history (Ex. 22-H) further reflects the following consecutive New York City investment-banking employment covering the entire period from June 2018 through April 2023: (i) Sandler O'Neill + Partners, L.P., New York, New York, Investment Banking Summer Analyst, June 2018 to July 2018; (ii) Sandler O'Neill + Partners, L.P., New York, New York, Investment Banking Analyst, August 2018 to December 2019 (one year, five months); (iii) Piper Sandler, New York, New York, Investment Banking Analyst, January 2020 to July 2020 (seven months); (iv) Piper Sandler, New York, New York, Investment Banking Associate, FSG, July 2020 to April 2021 (ten months); and (v) Goldman Sachs, New York, New York, Investment Banking Associate, Real Estate, April 2021 to April 2023 (two years, one month). Tucker Tuberville's continuous residence and employment in New York City from August 2018 to March 2023, followed by continuous residence and employment in Santa Rosa Beach, Walton County, Florida from June 1, 2023 through the date of this notarized complaint, is materially and continuously inconsistent with any claim that Tucker Tuberville occupied 379 Cherry Street, Auburn, Alabama as his primary

residence during the tax years 2018 through 2024. Tucker Tuberville's LinkedIn profile as of the date of this notarized complaint, displays a self-reported location of "Birmingham, Alabama, United States" (Ex. 22-H), which is materially inconsistent with the same LinkedIn profile's own employment history and with the 280 Partners LLC business address of record of 463 Ridge Road, Santa Rosa Beach, Florida (Ex. 22-L). (e) As reported by Alabama Daily News on April 29, 2025 and independently confirmed by Lagniappe on May 1, 2026 based on records released by Lee County Revenue Commissioner Oline Price, Thomas Tucker Tuberville personally signed the 2017 Lee County property-tax assessment for the 379 Cherry Street parcel, which placed a standard H-1 homestead exemption on the parcel for the 2018 tax year (Ex. 3). The Lee County Revenue Commissioner's published Homestead Exemption instructions provide that the H-1 regular-homestead exemption on Alabama real property is available only if the property is "occupied by person(s) who name(s) appear(s) on the deed" and if such person "live[s] in the house on October 1st of the year claimed" as such person's primary residence, and further provide that an "[a]pplicant cannot have homestead on another home anywhere else" (Ex. 4). Ala. Code § 40-9-19(a) and Ala. Admin. Code r. 810-4-1-.23 further condition the homestead exemption on the property being the applicant's primary residence on the October 1 lien date; and Ala. Admin. Code r. 810-4-1-.23(10) provides for statutory penalty against "[a]ny person who knowingly and willfully gives false information for the purpose of claiming a homestead or principal residence exemption, or for the purpose of assisting another person in claiming a homestead or principal residence exemption," including retroactive assessment for up to ten years plus fifteen percent annual interest. (f) The H-1 Regular Homestead Exemption placed on the 379 Cherry Street parcel by Tucker Tuberville's signed 2017 assessment remained on the parcel continuously through the 2024 tax year, at all times listing Tucker Tuberville and Suzanne Tuberville as the H-1 homestead

applicants of record (Ex. 3). The Tucker Tuberville / Suzanne Tuberville H-1 Regular Homestead Exemption remained in place for the tax years 2018, 2019, 2020, 2021, 2022, 2023, and 2024, a seven-tax-year window during which Tucker Tuberville's own LinkedIn employment history and Intelius address history (Ex. 22-H; Ex. 22-C) reflect his continuous New York City investment-banking employment from June 2018 through April 2023 and his continuous Santa Rosa Beach, Florida residence at 463 Ridge Road from June 1, 2023 through the date of this notarized complaint. Tucker Tuberville's Florida residence at 463 Ridge Road, Santa Rosa Beach, Florida is further corroborated by three separate filings personally executed by Tucker Tuberville with the Florida Department of State under the signing requirements of Fla. Stat. § 605.0203 and subject to the third-degree-felony false-statement penalty of Fla. Stat. § 817.155: (i) the June 26, 2024 Articles of Organization for 280 Partners LLC (Florida Document No. L24000288537), on which Tucker Tuberville is listed as Authorized Member and Manager with his own address recited as 463 Ridge Road, Santa Rosa Beach, Florida 32459; (ii) the April 14, 2025 Florida Limited Liability Company Annual Report for 280 Partners LLC (Filing No. 0590434874CC), on which Tucker Tuberville is again listed as Authorized Member and Manager at 463 Ridge Road, Santa Rosa Beach, Florida 32459, and which sworn annual report Tucker Tuberville personally signed as "THOMAS TUCKER TUBERVILLE, MANAGER"; and (iii) the March 29, 2026 Florida Limited Liability Company Annual Report for 280 Partners LLC (Filing No. 4137717420CC), which sworn annual report as of the date of this notarized complaint, lists Tucker Tuberville as Authorized Member and Manager at 463 Ridge Road, Santa Rosa Beach, Florida 32459 and which Tucker Tuberville personally signed as "THOMAS TUBERVILLE, AMBR." No document produced at the June 14, 2026 Alabama Republican Party Candidate Committee hearing, and no record within Tucker Tuberville's own Intelius address history or LinkedIn

employment history covering the seven-tax-year window (Ex. 22-C; Ex. 22-H), physically places Tucker Tuberville in the State of Alabama on any October 1 lien date from October 1, 2017 through October 1, 2023. On May 7, 2024, Tucker Tuberville executed and recorded a quitclaim deed for the 379 Cherry Street parcel (Book 2720, Page 391; Instrument 5008051) by which Tucker Tuberville was removed from title and Defendant Thomas Hawley Tuberville was added as a co-titleholder alongside Suzanne Marie Tuberville (Ex. 2). Notwithstanding the May 7, 2024 deed removing Tucker Tuberville from the 379 Cherry Street parcel, the tax-year 2024 H-1 Regular Homestead Exemption on the parcel remained in the name of Tucker Tuberville and Suzanne Marie Tuberville because the tax-year 2024 record was fixed by the October 1, 2023 lien date, which pre-dated the May 7, 2024 deed change (Ex. 3). Defendant Thomas Hawley Tuberville first appears as a co-owner of record on the 379 Cherry Street parcel Payment History only in the tax-year 2025 entry, following the May 7, 2024 deed change and effective as of the October 1, 2024 lien date (Ex. 3); on November 14, 2025, more than seven months into tax year 2025, the exemption on the parcel was reclassified from the Tucker Tuberville / Suzanne Marie Tuberville H-1 Regular Homestead on Account 128055 to the H4 Senior Homestead Exemption on Account 167280 (Ex. 3). Because Tucker Tuberville was continuously employed outside Alabama during six of the seven tax years for which the H-1 exemption was claimed on the 379 Cherry Street parcel (tax years 2019 through 2024), continuously resident outside Alabama for the last two of those seven tax years (tax years 2023 and 2024, at 463 Ridge Road, Santa Rosa Beach, Florida), and never once documented as physically present in Alabama on any October 1 lien date across the entire seven-tax-year window, and because Tucker Tuberville's name nevertheless remained continuously listed as an H-1 applicant of record on the 379 Cherry Street parcel from tax year 2018 through tax year 2024 without correction, update, or withdrawal (Ex. 3), the H-1

Regular Homestead Exemption placed and maintained on the 379 Cherry Street parcel from tax year 2018 through tax year 2024 was materially inconsistent with the H-1 statutory requirement of primary-residence occupancy of the parcel by Tucker Tuberville on the October 1 lien date of each such tax year under Ala. Code § 40-9-19 and Alabama Administrative Code r. 810-4-1-.23, and was materially inconsistent with the H-1 claimant's continuing statutory duty under Ala. Code § 40-7-10 to notify the Lee County tax assessor between October 1 and December 31 of any tax year in which the property ceased to qualify for the H-1 exemption. (g) Only after Defendant Tuberville was added to the 379 Cherry Street deed on May 7, 2024 did the homestead-exemption filing shift from a Tucker + Suzanne Tuberville H-1 exemption to a Thomas Hawley Tuberville + Suzanne Tuberville H-4 age-65-and-older exemption for the 2025 tax year (Ex. 3). Defendant Tuberville was not added to the 379 Cherry Street deed of record until May 7, 2024, and Defendant Tuberville is not identified as a homestead-exemption applicant on the Lee County property-tax records for tax years 2018 through 2024. The May 7, 2024 addition of Defendant Tuberville to the 379 Cherry Street deed occurred approximately thirty months before the November 3, 2026 general election and twelve months before Defendant Tuberville's May 2025 gubernatorial announcement; the timing and sequencing of the May 7, 2024 deed addition and the immediately-subsequent 2025 tax-year H-4 exemption reassignment are materially inconsistent with a claim of continuous primary-residence occupancy of the 379 Cherry Street parcel by Defendant Tuberville commencing in 2018 or 2019, and are documentary indicia of an eve-of-candidacy residency-establishment restructuring. (h) The certified Alabama Secretary of State business-entity record for Tiger Farms, LLC (Entity ID 000-459-947), the Alabama limited liability company identified in Paragraph 14D-2(e) above as the July 21, 2023 record Grantor of the Tuberville-family Tallapoosa County / Macon County farmland conveyed to William P. and

Erica C. Ware, reflects: (i) formation on February 2, 2005 in Lee County, Alabama, with stated nature of business "REAL ESTATE"; (ii) original Registered Agent Douglas R. Cannon, at 2195 Estate Drive, Auburn, Alabama (Registered Agent status resigned December 1, 2011); (iii) April 7, 2009 Partner/Member/Shareholder Change filings reflecting the Members of record on that date included Douglas R. Cannon and Amanda G. Cannon; (iv) subsequent Member composition, upon Cannon exit, of three co-equal Members: Thomas H. Tuberville, Suzanne M. Tuberville, and Edward "Eddie" Gran, none of whom holds a controlling interest to the exclusion of the others; and (v) dissolution on April 29, 2024, approximately nine months after the July 21, 2023 sale of the Tuberville-family farmland (Ex. 22-P). The July 21, 2023 Tiger Farms, LLC Real Estate Sales Validation Form (Ex. 13-E) recites the single Grantor mailing address of record as 379 Cherry Street, Auburn, Alabama 36830, and reflects that each of the three co-equal Members of the Tiger Farms Grantor entity, Thomas H. Tuberville, Suzanne M. Tuberville, and Edward "Eddie" Gran, personally executed the deed in that Member capacity and personally adopted 379 Cherry Street as the single business mailing address of record for the Tiger Farms Grantor entity on that instrument. Edward "Eddie" Gran is a third-party business partner of Defendant Tuberville and Suzanne M. Tuberville in Tiger Farms, LLC, and Edward "Eddie" Gran holds no personal residential association with the 379 Cherry Street parcel of any kind reflected on the Intelius parcel report (Ex. 22-D) or on any other public record before the Court. The July 21, 2023 recital that Edward "Eddie" Gran, a third-party non-resident business partner, personally adopted 379 Cherry Street as his own Member address of record on a deed he personally signed, is documentary evidence that the 379 Cherry Street parcel operated on that date as a shared business mailing address of the Tiger Farms real-estate holding entity, and not as the exclusive Alabama family residence of Defendant Tuberville. A bona fide personal-residence parcel is not, in the

ordinary conduct of real-estate business, used as the Grantor mailing address of record on a deed jointly executed by three co-equal LLC Members two of whom (Tuberville and Suzanne Tuberville) hold record title to the parcel and the third of whom (Gran) holds no residential or ownership interest in the parcel. The Tiger Farms, LLC certified business-entity record (Ex. 22-P) further establishes a documented Cannon-family to Tuberville-family / Gran transfer of control of an Auburn-area real-estate business entity, with control of Tiger Farms, LLC passing from Douglas R. Cannon and Amanda G. Cannon to Thomas H. Tuberville, Suzanne M. Tuberville, and Edward "Eddie" Gran during the period following the April 7, 2009 Partner/Member/Shareholder Change filing, and prior to the March 30, 2017 conveyance of the 379 Cherry Street parcel from Cannon-associated ownership (Amanda G. Cannon, through the Hulls) to Tucker Tuberville and Suzanne Marie Tuberville. The July 21, 2023 Tiger Farms Grantor-address recital is an admission-adjacent documentary indicium, under Ex parte First Alabama Bank, 883 So. 2d at 1244-45, of the 379 Cherry Street parcel's operational role as a shared Tiger Farms business address of record co-adopted by all three co-equal Members of the Grantor entity, and is materially inconsistent with Defendant Tuberville's June 14, 2026 sworn characterization of the same parcel as the Alabama family residence of the Tuberville family. (i) The July 22, 2025 Walton County, Florida certified deeds (Ex. 14) transferring the Old Beach Road and Ridge Road parcels to the POB Revocable Trust each recite 379 Cherry Street, Auburn, Alabama as the POB Revocable Trust grantee address of record, confirming a direct documentary link between the Cherry Street parcel and the POB Revocable Trust vehicle to which the two Florida parcels were transferred on July 22, 2025. The July 21, 2023 Tiger Farms, LLC Real Estate Sales Validation Form (Ex. 13-E), personally executed by Defendant Tuberville, Suzanne Marie Tuberville, and Edward "Eddie" Gran as the three co-equal Member-signatories of the

Tiger Farms Grantor entity, recites the same 379 Cherry Street parcel as the Tiger Farms Grantor mailing address of record and establishes an operational link between the Cherry Street parcel and the Tiger Farms real-estate holding entity co-owned by the Tuberville family and a third-party business partner. Taken together, the 2023 Tiger Farms Grantor-address recital and the POB Revocable Trust mailing-address designation reflect a pattern in which the Cherry Street parcel serves simultaneously as a business address of record for two distinct real-estate holding vehicles: a Tuberville-family Florida real-property vehicle (the POB Revocable Trust), and an Alabama real-property vehicle co-owned by the Tuberville family and a third-party business partner (Tiger Farms, LLC). Simultaneous designation of a single street address as the business mailing address of record for two separate real-estate holding vehicles, one of which is co-owned by a third-party non-resident, is documentary evidence of the parcel's administrative and mailing role in the Tuberville-family real-estate holdings, and is materially inconsistent with the sworn characterization of the same parcel as the exclusive Alabama family residence of Defendant Tuberville. (g) Tucker Tuberville's publicly-published professional biography on realtor.com, published in his capacity as a licensed Alabama real estate agent affiliated with Hayley Enterprises LLC, 1695 E. University Drive, Auburn, Alabama 36830 (Ex. 22-R), further reflects two material self-declarations by Tucker Tuberville regarding his professional training and specialty in Alabama real estate: (i) that Tucker Tuberville 'earned a degree in Finance with a focus in Real Estate from Auburn University,' establishing that Tucker Tuberville holds an Auburn University academic degree specifically concentrated in real estate; and (ii) that Tucker Tuberville, as a licensed Alabama real estate agent affiliated with Hayley Enterprises LLC, 'specializ[ed] in residential sales, student housing, new construction, and residential and commercial land acquisition' in the Auburn, Alabama real estate market. The Tucker Tuberville

realtor.com professional biography (Ex. 22-R), together with Tucker Tuberville's certified LinkedIn employment history (Ex. 22-H), establishes that Tucker Tuberville is a person with three convergent indicia of professional expertise in the acquisition, financing, management, and disposition of real estate: (i) an Auburn University academic degree specifically concentrated in Finance with a focus in Real Estate; (ii) documented pre-seven-year-window professional experience as a licensed Alabama real estate agent affiliated with Hayley Enterprises LLC of Auburn, Alabama, specializing in residential sales, student housing, new construction, and residential and commercial land acquisition in the Auburn, Alabama real estate market; and (iii) documented within-seven-year-window professional experience as an institutional real-estate investment banking professional, having served from April 2021 to April 2023 as Investment Banking Associate, Real Estate at Goldman Sachs, New York, New York (Ex. 22-H). Tucker Tuberville's convergent academic training in real-estate finance, licensed Alabama real-estate-agent professional experience, and institutional Goldman Sachs Real Estate investment-banking professional experience is materially consistent with the operative characterization of the 379 Cherry Street parcel as investment or income-producing property acquired, held, and managed by a family member with specific real-estate acquisition and disposition expertise, rather than as the primary Alabama family residence of Defendant Tuberville. **[Ex. 3; Ex. 4; Ex. 13-E; Ex. 14; Ex. 22-A; Ex. 22-B; Ex. 22-C; Ex. 22-D; Ex. 22-E; Ex. 22-H; Ex. 22-K; Ex. 22-L; Ex. 22-M; Ex. 22-N; Ex. 22-P; Ex. 22-R]**

14I. The certified Florida Department of State, Division of Corporations record for 280 Partners LLC (Document Number L24000288537), a Florida limited liability company (Ex. 22-L), reflects the following: (i) formation on June 26, 2024 in the State of Florida; (ii) Federal Employer Identification Number 99-3768678; (iii) status "ACTIVE"; (iv) principal office and

mailing address 7901 4th Street North, Suite 300, St. Petersburg, Florida 33702; (v) authorized person of record and Manager (title "MGR") and Authorized Member (title "AMBR"): Thomas Tuberville, 463 Ridge Road, Santa Rosa Beach, Florida 32459; (vi) 2025 Annual Report filed April 14, 2025 and signed electronically by "THOMAS TUCKER TUBERVILLE," Manager, listing the same 463 Ridge Road, Santa Rosa Beach, Florida 32459 address for the Manager; and (vii) 2026 Annual Report filed March 29, 2026 and signed electronically by "THOMAS TUBERVILLE," Authorized Member, listing the same 463 Ridge Road, Santa Rosa Beach, Florida 32459 address. Under Fla. Stat. § 605.0203, records delivered to the Florida Department of State for filing pursuant to Chapter 605, Florida Statutes, must be signed by a person authorized by the limited liability company; under Fla. Stat. § 605.0212, an annual report of a Florida limited liability company must state the street address of its principal office and mailing address, its federal employer identification number, and the name, title, and address of at least one person having authority to manage the company; and under Fla. Stat. § 817.155, a person may not, in any matter within the jurisdiction of the Department of State, knowingly and willfully falsify or conceal a material fact, make any false, fictitious, or fraudulent statement or representation, or make or use any false document containing any false, fictitious, or fraudulent statement or entry, and a person who violates § 817.155 is guilty of a felony of the third degree, punishable as provided in Fla. Stat. §§ 775.082, 775.083, or 775.084. Tucker Tuberville’s continuous designation of 463 Ridge Road, Santa Rosa Beach, Walton County, Florida as his sworn Manager and Authorized Member address of record on 280 Partners LLC filings from June 26, 2024 through March 29, 2026 is materially inconsistent with any claim that Tucker Tuberville was during that period a primary resident of 379 Cherry Street, Auburn, Alabama, and is further materially inconsistent with the H-1 primary-residence homestead exemption maintained in

Tucker Tuberville's name on the 379 Cherry Street parcel through the 2024 tax year. **[Ex. 3; Ex. 22-C; Ex. 22-L]**

14J. The certified Alabama Secretary of State business-entity record for KTT, LLC (Entity ID 000-680-330) (Ex. 22-Q) reflects: (i) formation on February 12, 2002 in Lee County, Alabama; (ii) stated nature of business "REAL ESTATE"; (iii) registered agent and office Thomas J. Bryan, 1819 Pepperell Parkway, Opelika, Alabama 36801; (iv) Members of record Thomas J. Bryan and Defendant Thomas H. Tuberville; and (v) dissolution on August 18, 2017. Defendant Tuberville's dissolution of KTT, LLC on August 18, 2017 occurred four months and nineteen days after the March 30, 2017 conveyance of the 379 Cherry Street parcel from Jonathon Houston Hull and Pamela R. Hull to Tucker Tuberville and Suzanne Tuberville, and within the tax-year window during which Tucker Tuberville signed the 2017 Lee County property-tax assessment placing the H-1 homestead exemption on the same 379 Cherry Street parcel for the 2018 tax year (Ex. 3). Defendant Tuberville's August 18, 2017 dissolution of his own Alabama-formed real-estate limited liability company (KTT, LLC) in the same calendar year in which Defendant Tuberville placed the 379 Cherry Street Alabama residence claim nominally in the names of his adult son and spouse, and in the same calendar year in which the 379 Cherry Street parcel was first placed under an H-1 homestead exemption in Tucker Tuberville's and Suzanne Tuberville's names, is documentary evidence of a coordinated 2017 restructuring of Defendant Tuberville's Alabama real-property indicia in which Defendant Tuberville himself is affirmatively divesting a personally-held Alabama real-estate limited liability company (KTT, LLC) at the same time his adult son and spouse are nominally establishing residence and homestead indicia on 379 Cherry Street. Defendant Tuberville's affirmative act of dissolving his own Alabama real-estate LLC on August 18, 2017 is further materially inconsistent with any claim that Defendant Tuberville

himself was during 2017 establishing his own bona fide continuous Alabama primary residence at 379 Cherry Street or elsewhere in Alabama. **[Ex. 3; Ex. 22-Q]**

14K. Tucker Tuberville's certified LinkedIn employment history (Ex. 22-H) further reflects that from October 2023 to April 2024, immediately following Tucker Tuberville's April 2023 departure from Goldman Sachs, New York, New York, and prior to the June 26, 2024 formation of 280 Partners LLC in the State of Florida (Ex. 22-L), Tucker Tuberville served as Principal of Triple T Ventures, self-described as a "Search Fund," a personal search-fund investment vehicle whose formation is not reflected on the certified business-entity records of the State of Alabama, the State of Florida, or the State of Delaware. Tucker Tuberville's temporally-contiguous engagement as Principal of Triple T Ventures (October 2023 - April 2024) coincides with the initial period of his residence at 463 Ridge Road, Santa Rosa Beach, Walton County, Florida (June 1, 2023 - present) (Ex. 22-C), and further corroborates that Tucker Tuberville's post-Goldman Sachs professional and residential center of gravity from June 2023 forward has been Walton County, Florida, and not Auburn, Lee County, Alabama. **[Ex. 22-C; Ex. 22-H; Ex. 22-L]**

E. Defendant Tuberville's Own Florida Voter, License, and Tax Records

15. Independent of the homestead record, additional Florida records reflect a Florida-oriented residency pattern by Defendant Tuberville personally. The Florida Department of State, Division of Elections, by official letter dated June 3, 2026 signed by Susan Bush, Regulatory Program Administrator, confirmed that Defendant Tuberville was actively registered to vote in Walton County, Florida from May 24, 2017 through March 20, 2020, at which point his Florida registration was removed under the notation "Removed by Voter." The Florida Division of Elections record identifies Defendant Tuberville's Florida address of record during that

registration period as the Old Beach Road parcel in Santa Rosa Beach, Walton County, Florida, and records his participation in the November 6, 2018 Florida General Election by mail-in ballot. Florida law permits a person to be an active Florida registered voter only if that person is a legal Florida resident. Fla. Stat. § 97.041(1)(a). The Florida voter registration was initiated on May 24, 2017, fifty-five days after the March 30, 2017 acquisition of the Cherry Street parcel by Suzanne Marie Tuberville and Tucker Tuberville, and was affirmatively maintained by Defendant Tuberville through and beyond the November 3, 2019 opening of the Seven-Year Window. Defendant Tuberville remained an actively registered Florida voter for approximately four and one-half months into the Seven-Year Window (November 3, 2019 through March 20, 2020). Actively voting in a Florida General Election by mail-in ballot from the Old Beach Road parcel in November 2018 is sworn conduct affirming Florida residency in tax year 2018 and consistent with the 2018 H3/HX Florida homestead filing described in Paragraph 14C. **[Ex. 7]**

15A. The Alabama Secretary of State's certified voter record for Defendant Tuberville, issued June 12, 2026, reflects the following material dates: (a) initial Alabama voter registration on March 28, 2019; (b) the last Alabama vote cast by Defendant Tuberville prior to the March 20, 2020 removal of his Florida registration was cast on March 3, 2020 in the Alabama Presidential Preference Primary, establishing that Defendant Tuberville held simultaneous active Alabama and Florida voter registrations for approximately twelve months, from his March 28, 2019 Alabama registration through his March 20, 2020 Florida deregistration. Simultaneous active voter registration in two states is not prima facie evidence of bona fide domicile in either. Under Weissinger, 22 So. 2d at 514, and Nora v. Nora, 494 So. 2d 16, 18 (Ala. 1986), the depth and continuity of a party's sworn residency conduct is stronger evidence of domicile than any

subsequent recharacterization; and where sworn conduct is internally contradictory, the party's own binding admissions govern. **[Ex. 18]**

15B. Florida Department of Highway Safety and Motor Vehicles records reflect that Defendant Tuberville held an active and unexpired Florida Class E Driver License valid through February 20, 2023, more than three years and three months into the Seven-Year Window. A Florida Class E Driver License requires that the applicant certify Florida residency under Fla. Stat. § 322.01(36) (defining "Resident" as a person with principal place of domicile in Florida for more than six consecutive months, who has registered to vote, made a statement of domicile, or filed for homestead exemption) and Fla. Stat. § 322.031 (Nonresident; when license required). Defendant Tuberville's maintenance of a Florida Class E Driver License valid through February 20, 2023 is itself a sworn Florida residency certification covering thirty-nine months of the Seven-Year Window. **[Ex. 19]**

15C. The March 28, 2019 Alabama voter registration, the March 2019 Alabama driver license, and the 2019 filings associated with Defendant Tuberville's initial United States Senate candidacy do not, individually or collectively, establish a bona fide change of domicile from Florida to Alabama. Under long-settled Alabama and persuasive authority, domicile is proved by conduct, not by declarations, and expressed intent must be evaluated against objective conduct. Ex parte Weissinger, 247 Ala. 113, 22 So. 2d 510, 514 (1945) (domicile requires physical presence together with intent to remain indefinitely; neither element is sufficient alone); Mitchell v. Kinney, 242 Ala. 196, 203, 5 So. 2d 788, 793 (1942) (“residence, when used in connection with political rights, means domicile”); Ravenel v. Dekle, 265 S.C. 364, 218 S.E.2d 521 (1975) (persuasive authority) (“any expressed intent on the part of a person must be evaluated in the light of his conduct”). During the approximately twelve months from Defendant Tuberville's March 28,

2019 Alabama voter registration through his March 20, 2020 Florida voter deregistration, Defendant Tuberville held simultaneous active voter registrations in Alabama and Florida. During the thirty-nine months from November 3, 2019 through February 20, 2023, Defendant Tuberville held an active Florida Class E Driver License. The Tubervilles held both Florida beach parcels through the entire pre-primary period, and did not begin to divest Florida real property until after Alabama Republican Party candidate qualifying was already complete. Taken together, this record reflects a continuing Florida-oriented residency pattern from the pre-window period into and through the Seven-Year Window, contradicting any assertion that the 2019 Alabama administrative filings represented an affirmative and continuous change of domicile. Under Weissinger, Mitchell, and Ravenel, the 2019 Alabama voter registration, driver license, and Senate-campaign filings are not, standing on their own, sufficient to establish a bona fide change of domicile, and are properly evaluated together with the concurrent and subsequent Florida-oriented conduct pleaded above. **[Ex. 7; Ex. 18; Ex. 19]**

15D. The Report of the Secretary of the Senate for the period January 2021 through October 1, 2025 documents more than 100 discrete Senate-reimbursed trip segments during the Seven-Year Window with a reported origin or terminus at Destin, Panama City, Fort Walton Beach, Pensacola, or Eglin AFB (Destin). Independent journalism analysis of a subset of that record found that of 87 discrete trips taken between calendar years 2021 and 2023, 47 included a stop in the Florida Panhandle. See Scott Johnson, "Travel records deepen Sen. Tuberville residency questions," Lagniappe (Mar. 18, 2026); Andrew Yeager, "Does Tuberville actually live in Alabama? A reporter digs in," WBHM (May 13, 2026). In 2023, the Florida-only trips outpaced any other trip category taken by Defendant Tuberville that year. On the analytical framework of Ex parte Weissinger, Mitchell v. Kinney, and Ravenel v. Dekle, this documented, publicly

reported, primary-source-derived pattern of Emerald Coast travel is objective conduct that must be evaluated together with, and against, Defendant Tuberville's administrative Alabama filings pleaded in Paragraph 15C above.

15E. On June 14, 2026, before the Alabama Republican Party State Executive Committee, Defendant Tuberville testified under oath to matters that corroborate the reporting pleaded in Paragraph 15D above. At Transcript 29:1-23, Defendant Tuberville testified regarding Cessna Citation and related aircraft use for return legs to and from Florida during his Senate service. At Transcript 60:1-14, counsel of record for Defendant Tuberville affirmatively characterized certain Florida Panhandle travel and lodging paid through Senate-campaign and political-action committee accounts as "vacation escapes," a characterization made on the record in an evidentiary proceeding on constitutional eligibility. That on-record characterization, standing alone, is a party admission binding on Defendant Tuberville under Ala. R. Evid. 801(d)(2)(C)-(D). The admission is material because a candidate whose own counsel concedes, in a sworn constitutional-eligibility proceeding, that Florida Panhandle travel of the volume and frequency documented in the Secretary of the Senate reports served the purpose of "vacation escapes" has not carried the objective-conduct burden that Weissinger and Mitchell impose on a domicile claim. Weissinger, 22 So. 2d at 514; Mitchell, 5 So. 2d at 793. **[Ex. 20]**

F. Sworn Alabama-Residency Declarations and Judicial Estoppel

16. Defendant Tuberville's sworn declarations of Alabama residency include, without limitation: (a) the November 14, 2025 Alabama H4 homestead application pleaded in Paragraphs 10B and 10C; (b) the 2018 Alabama Form 40 Part-Year Return pleaded in Paragraph 12; and (c) his October 2019 Alabama voter registration pleaded in Paragraph 15C. Each declaration was made subject to statutory penalties for false swearing. These Alabama-residency declarations are

irreconcilable with the 2018 Walton County sworn Florida-homestead declaration pleaded in Paragraph 14C, in which Defendant Tuberville, through Suzanne Marie Tuberville as the sole party of record, swore that the Old Beach Road Parcel was his and his spouse's permanent Florida homestead as of January 1, 2018. The Alabama Secretary of State's published "Minimum Qualifications for Public Office" guidance confirms that the constitutional seven-year residency requirement for Governor is a threshold eligibility question, not merely a matter of self-designation. **[Ex. 5; Ex. 18; Ex. 21]**

16A. Under Alabama judicial estoppel and domicile law, when a party has sworn to inconsistent positions before two different tribunals or authorities, both sworn statements bind him to the extent that either one, if taken as true, establishes a fact material to the constitutional inquiry. See Ex parte First Alabama Bank, 883 So. 2d 1236, 1244-45 (Ala. 2003). Alabama Constitution Article V, § 117 requires that the Governor "shall have been . . . resident citizens of this state at least seven years next before the date of their election." "Resident citizen" in Alabama means domicile, one true, fixed, and permanent home, with the present intent to remain indefinitely, and the affirmative abandonment of any prior domicile. Nora v. Nora, 494 So. 2d 16, 17-18 (Ala. 1986); Ex parte Weissinger, 22 So. 2d 510, 514 (Ala. 1945); Mitchell v. Kinney, 242 Ala. 196, 5 So. 2d 788, 793 (1942) ("residence, when used in connection with political rights, means domicile"). Florida's homestead exemption requires that the property be the applicant's "permanent residence" as defined in Fla. Stat. § 196.012(17), meaning "that place where a person has his or her true, fixed, and permanent home and principal establishment to which, whenever absent, he or she has the intention of returning," the identical common-law domicile standard Alabama applies. A person cannot lawfully claim a Florida homestead exemption for a given tax year unless that person is Florida-domiciled for that tax year. If the 2018 Florida homestead filing

was true, Defendant Tuberville was Florida-domiciled through tax year 2018, foreclosing any claim that he had affirmatively abandoned Florida domicile and established Alabama domicile before January 1, 2019; his first affirmative Alabama-domicile act of record is his March 28, 2019 Alabama voter registration, which precedes the November 3, 2019 opening of the Seven-Year Window by only approximately seven months and cannot cure the sworn Florida-domicile position he took for tax year 2018. If the 2018 Florida homestead filing was false, Defendant Tuberville committed homestead fraud under Fla. Stat. § 196.161, which authorizes recovery of the exempted tax retroactively for up to ten tax years, a fifty percent civil penalty, and interest at fifteen percent per annum; and every other sworn residency statement of Defendant Tuberville of record during the 2017-2020 period, including his Florida voter registration maintained from May 24, 2017 through March 20, 2020, his November 6, 2018 Florida mail-in ballot, his Florida Class E driver license valid through February 20, 2023, and his 2018 Alabama Form 40 Part-Year Return, is impeached as either false or materially inconsistent, defeating his ability to carry the candidate's burden under *Nora* to prove continuous Alabama domicile for the seven years ending November 3, 2026. In either alternative, Defendant Tuberville cannot establish the seven continuous years of Alabama resident-citizen domicile that Article V, § 117 requires, and his constitutional eligibility to hold the office of Governor of Alabama fails. **[Ex. 5; Ex. 7; Ex. 18; Ex. 19; Ex. 20]**

G. The June 14, 2026 ALGOP Hearing and Its Structural Defects

17. On June 14, 2026, the State Executive Committee of the Alabama Republican Party convened an evidentiary hearing on Plaintiff McFeeters's challenge to Defendant Tuberville's qualifications under Article V, Section 117 (the “June 14 Hearing”). Plaintiff appeared through counsel Jerry Roberson. Defendant Tuberville appeared, testified, and was represented by Albert

L. Jordan of Wallace, Jordan, Ratliff & Brandt, LLC. A certified transcript of the June 14 Hearing was prepared and certified by Amber D. Pritchett, CRR/RPR.

17A. The June 14 Hearing was structurally incapable of resolving the constitutional-eligibility question presented. First, the Alabama Republican Party afforded Plaintiff only forty-five minutes to present his entire case and answer questions from the panel. Second, the party declined to subpoena any witness other than Defendant Tuberville himself, and refused Plaintiff's requests for pre-hearing discovery. Third, the hearing was conducted in the law offices of Balch & Bingham LLP, a private firm that simultaneously represents interests of the Alabama Republican Party State Executive Committee and unrelated business and political interests. Fourth, Suzanne Marie Tuberville, a co-record-owner under the March 30, 2017 Warranty Deed to which the May 10, 2017 H1 Application applied, the 2018 Florida homestead filing and the 2018 Alabama H1 account bearing her name, the July 22, 2025 sworn "not homestead" recitals, and the July 31, 2012 BYVW conveyance, did not appear and was not called. The Alabama Republican Party's decision not to compel Suzanne Tuberville's testimony left the documentary record incapable of a good-faith factual conclusion on the very filings at the heart of the constitutional inquiry.

17B. At the June 14 Hearing, Defendant Tuberville admitted under oath that (a) he voted in Florida in the 2018 General Election by mail-in ballot from Walton County; and (b) he did not personally sign the Alabama H1 homestead Application for the Cherry Street parcel (executed May 10, 2017 by his son Tucker Tuberville alone). Following one hour and twelve minutes of deliberation, the party panel declined to disqualify Defendant Tuberville. The panel's decision is not preclusive of a Circuit Court declaration on the underlying constitutional question. See Reid Order, supra; Bostwick v. Harris, 421 So. 2d 492, 493 (Ala. 1982) ("Where matters pertaining to nomination are regulated by statute, questions of compliance with a statute and infringement of

legal rights conferred are judicial; and the courts are not ousted of jurisdiction or bound by the decisions of party authorities with regard thereto."). **[Ex. 20]**

H. The August 19, 2026 Substitution Deadline and the Need for Expedited Consideration

18. Under Alabama Code Section 17-13-23, as amended by Act 2014-6, the State Executive Committee of a political party may fill a vacancy in nomination created by the disqualification of a candidate. The statutory substitution deadline for the November 3, 2026 General Election is August 19, 2026. If Defendant Tuberville is declared ineligible on or before August 19, 2026, the Alabama Republican Party may fill the vacancy. If Defendant Tuberville is declared ineligible after August 19, 2026, the operative effect under Section 17-13-23 is that the Republican Party is unable to fill the vacancy on the General Election ballot. Plaintiff's request for expedited consideration under Naftel v. State ex rel. Driggars, 361 So. 3d 751 (Ala. 2022) is tied to this hard statutory deadline. Naftel recognized that an interlocutory order determining the right to public office is immediately appealable under Ala. R. App. P. 4(a)(1)(C), 361 So. 3d at 754-55, confirming that questions of eligibility for constitutional office warrant expeditious judicial resolution. Expedited consideration is otherwise supported by Ala. R. Civ. P. 65, the equitable jurisdiction of this Court, and the hard statutory deadline set by Ala. Code Section 17-13-23 (August 19, 2026 substitution cutoff).

I. Section 17-16-44 Does Not Bar This Pre-Election Declaratory Action

18A. On June 22, 2026, in the antecedent proceeding styled Dorgan and LeBlanc v. Tuberville, Case No. CV-2026-901053.00, Circuit Court of Montgomery County, Alabama, Defendants Tuberville and Allen jointly moved to dismiss on the theory that Alabama Code Section 17-16-44 provides the exclusive vehicle for any challenge to a candidate for state office and forecloses any other cause of action. Plaintiff anticipates that Defendants will assert the

identical Section 17-16-44 defense in this action. Plaintiff addresses that defense at the outset because it goes to the Court's subject-matter jurisdiction and because its resolution controls the schedule for expedited consideration under Naftel.

18B. Alabama Code Section 17-16-44 provides, in relevant part, that the exclusive method for contesting an election is by the statutory procedures set forth in Chapter 16 of Title 17. By its plain terms, Section 17-16-44 governs "election contests," that is, post-election challenges to a return of votes cast in an election. This action is not an election contest. Plaintiff does not challenge the vote count, the conduct of the polls, the canvassing of returns, or any other post-election ministerial act. Plaintiff challenges the constitutional eligibility, under Article V, Section 117 of the Alabama Constitution, of a certified party nominee to appear on the General Election ballot that has not yet been printed or certified. That challenge sounds in declaratory judgment under Alabama Code Sections 6-6-220 through 6-6-232, not in the election-contest procedures of Chapter 16.

18C. The Alabama Supreme Court and the Alabama circuit courts have repeatedly recognized the distinction between an election contest under Section 17-16-44 (a post-election challenge to a return) and a pre-election declaratory action challenging a candidate's constitutional eligibility. See Naftel v. State ex rel. Driggars, 361 So. 3d at 754-55 (recognizing that an interlocutory order determining the right to public office is immediately appealable under Ala. R. App. P. 4(a)(1)(C)); Ala. Code Sections 6-6-220 through 6-6-232 (Alabama Declaratory Judgment Act, providing the statutory basis for declaratory-judgment jurisdiction over any justiciable controversy, including pre-election constitutional-eligibility challenges); Knight v. Gray, 420 So. 2d 247 (Ala. 1982) (Alabama Supreme Court entertained pre-primary challenge to legal qualifications of a party candidate). The July 9, 2026 Reid Order, which is directly on point

and issued in the antecedent proceeding raising the identical Section 17-16-44 defense, expressly identifies declaratory judgment and injunctive relief as the available and appropriate vehicles for pre-election constitutional-eligibility challenges of the kind pleaded here. The Reid Order thereby resolves in Plaintiff's favor the very Section 17-16-44 defense Defendants advanced in Dorgan and LeBlanc and are expected to reassert in this action.

18D. To read Section 17-16-44 as Defendants urge, that is, to construe it as barring any pre-election declaratory action challenging a candidate's constitutional eligibility, would produce constitutional and practical absurdities that the Legislature could not have intended. It would permit an admittedly ineligible candidate to appear on the General Election ballot, be elected, take the oath, and hold the office, only then to be removed by post-election contest, a result that violates the plain constitutional command of Article V, Section 117 and that renders the seven-year residency requirement functionally unenforceable. Alabama courts do not construe statutes to produce constitutional absurdities. See Ex parte First Alabama Bank, 883 So. 2d at 1244-45. The proper construction of Section 17-16-44 is that it is the exclusive remedy for post-election contests of the return of votes cast, and does not preempt the declaratory-judgment jurisdiction of the Circuit Court over pre-election constitutional-eligibility challenges.

18E. Further, Plaintiff's action is timed to permit resolution before the November 3, 2026 General Election is held. Filing a pre-election declaratory action after primary certification but before General Election ballot printing is the procedural posture that both the Reid Order and Naftel identify as the appropriate window for constitutional-eligibility resolution. To hold otherwise would create a doctrinal gap: no vehicle would be available to challenge an ineligible candidate between primary certification and the General Election. Nothing in Section 17-16-44 requires that result; nothing in Alabama constitutional doctrine tolerates it.

COUNT I: DECLARATORY JUDGMENT

(Ala. Code § 6-6-220 et seq.)

20. Plaintiff incorporates Paragraphs 1 through 18 as though fully set forth herein.

21. An actual, justiciable, and ripe controversy exists between Plaintiff and Defendants concerning the constitutional eligibility of Defendant Tuberville to be certified as the Republican nominee for Governor of Alabama for the November 3, 2026 General Election. Plaintiff has a direct, personal, and legally cognizable interest in the resolution of that controversy as a defeated primary candidate, a registered Alabama Republican voter, and an Alabama citizen with a recognized interest in the constitutional integrity of elections for constitutional office. See Naftel, 361 So. 3d at 758-59. The Alabama Declaratory Judgment Act, Ala. Code §§ 6-6-220 through 6-6-232, provides the appropriate procedural vehicle for the resolution of that controversy.

22. The constitutional inquiry under Article V, Section 117 is whether Defendant Tuberville was actually, physically, and continuously a "resident citizen" of Alabama for the seven years next preceding November 3, 2026. Alabama residency law resolves that inquiry by reference to sworn contemporaneous conduct. Under Ex parte Weissinger, 247 Ala. 113, 117, 22 So. 2d 510, 514 (1945), the Alabama Supreme Court held that a party's sworn conduct in tax, residency, and voter contexts is competent and often conclusive evidence of intent to change or maintain domicile. Under Nora v. Nora, 494 So. 2d 16, 18 (Ala. 1986), the depth and continuity of documentary conduct is a stronger indicator of domicile than any subsequent recharacterization. Under Ravenel v. Dekle, 265 S.C. 364, 218 S.E.2d 521 (1975) (persuasive authority), sincere intent to return does not satisfy a constitutional durational-residency requirement, and a candidate's own sworn residency filings are treated as declarations of domicile at the moment of the filing.

22A. The Ravenel court held that expressed intent to maintain a continuing domicile in a person's asserted state 'must be evaluated in the light of his conduct which is either consistent or inconsistent with such expressed intent,' Ravenel, 265 S.C. at 379, and that even a 'sincere intention to return to his native state some day' does not defeat the documentary and conduct-based evidence establishing actual residence, and domicile, in another state during the constitutional durational-residency window. Ravenel, 265 S.C. at 379 (holding that despite candidate's sincere intent to return to South Carolina, 'the overwhelming weight of the evidence is to the effect that in November, 1969, the beginning of the crucial period of time, Mr. Ravenel was an actual resident of, domiciled in and a citizen of the State of New York'). The Ravenel principle is persuasive authority applicable to Alabama's identical constitutional durational-residency framework under Article V, Section 117, and is fully consistent with the binding Alabama Supreme Court authority of Ex parte Weissinger and Mitchell v. Kinney set forth above. Applied to Defendant Tuberville, the 2018 Walton County sworn Florida homestead filing, the November 6, 2018 mail-in ballot from Walton County, and the March 20, 2020 Florida voter deregistration each operate as declarations against interest at the moment of filing.

22B. The September 23, 2019 Form 40 Part-Year return further operates as a sworn declaration against interest at the moment of filing: by the checking of the "Part Year" residency box and the entry of the residency period as "From 8-1 through 12-31, 2018" on the Form 40 filed under Defendant Tuberville's name as taxpayer of record, it is established under penalty of perjury that Defendant Tuberville was not an Alabama resident from January 1, 2018 through July 31, 2018. That documentary declaration of record, dated forty-one days before the Seven-Year Window opened on November 3, 2019, is a contemporaneous documentary declaration of pre-

window non-Alabama residency that binds Defendant Tuberville under Ravenel v. Dekle, 218 S.E.2d 521 (S.C. 1975), and Ex parte First Alabama Bank, 883 So. 2d at 1244-45.

23. The documentary record pleaded in Paragraphs 8 through 18 above establishes, without genuine dispute, that Defendant Tuberville was not an actual, physical, continuous "resident citizen" of Alabama during the Seven-Year Window. The 2018 Walton County sworn homestead filing represents that Defendant Tuberville's and Suzanne Marie Tuberville's "permanent residence" was in Florida on January 1, 2018; the 2018 Alabama H1 exemption on the Cherry Street parcel arose from the May 10, 2017 Application signed by the parties' son Thomas Tucker Tuberville alone, with Suzanne Marie Tuberville and Thomas Tucker Tuberville as co-record owners under the March 30, 2017 Warranty Deed; the Florida voter registration remained active through March 20, 2020; the Florida driver license remained active through February 20, 2023; the September 23, 2019 Form 40 Part-Year return self-certifies that Defendant Tuberville was not an Alabama resident from January 1, 2018 through July 31, 2018; and the November 14, 2025 H1-to-H4 flip occurred five months into Defendant Tuberville's active gubernatorial campaign, on circumstances that Ravenel identifies as documentary repositioning rather than bona fide domicile.

23A. Applying Weissinger, Nora, and Ravenel to the documentary record establishes, as a matter of law, that at some point during the Seven-Year Window Defendant Tuberville was not an actual, physical, continuous Alabama resident. The exact moment is not dispositive; the constitutional requirement is continuous seven-year residency, and an interruption at any point is fatal. Defendant Tuberville's 2018 Florida sworn homestead filing, his November 6, 2018 mail-in vote from Walton County, his September 23, 2019 Form 40 Part-Year return certifying non-Alabama residency for the period January 1, 2018 through July 31, 2018, his continued active

Florida voter registration through March 20, 2020, and his continued active Florida driver license through February 20, 2023 each independently establish a residency-inconsistent sworn declaration or documented Florida-oriented act at a moment falling within, or immediately antecedent to, the Seven-Year Window.

24. Plaintiff is entitled to a declaration, pursuant to Alabama Code Section 6-6-222, that Defendant Tuberville does not satisfy the seven-year continuous residency requirement of Article V, Section 117 of the Alabama Constitution and is therefore ineligible to hold or to be certified as a candidate for the Office of Governor of Alabama.

COUNT II: INJUNCTIVE RELIEF

25. Plaintiff incorporates Paragraphs 1 through 24 as though fully set forth herein.

26. Plaintiff is entitled to ancillary injunctive relief under Alabama Code Section 6-6-223 and the general equitable powers of this Court directing Defendant Wes Allen, in his official capacity as Secretary of State, to refrain from certifying Defendant Tuberville to the November 3, 2026 General Election ballot as the Republican nominee for Governor, and further directing Defendant Allen to strike Defendant Tuberville's name from the General Election ballot prior to August 19, 2026 (or promptly on issuance of judgment, if judgment issues after August 19, 2026 and before the certification of the November 3, 2026 General Election ballot).

26A. The elements of injunctive relief are satisfied. First, Plaintiff has demonstrated a substantial likelihood of success on the merits of Count I, as the documentary record pleaded above is not in genuine dispute. Second, Plaintiff will suffer irreparable harm in the absence of relief because his competitive-injury standing as a defeated primary candidate cannot be adequately remedied by money damages and because the August 19, 2026 statutory substitution deadline creates a hard cutoff beyond which the practical remedy of ballot correction becomes

materially compromised. Third, the balance of equities favors relief: Defendant Tuberville has no legitimate protectable interest in remaining on a ballot for an office he is constitutionally ineligible to hold, and Defendant Allen has no interest in certifying an ineligible candidate. Fourth, the public interest strongly favors the requested relief: the integrity of the General Election ballot is a cornerstone of representative government and cannot be compensated in damages.

27. In the alternative, and without limitation, Plaintiff is entitled to preliminary injunctive relief pending final judgment on Count I. Ala. R. Civ. P. 65; Perley v. Tapscan, Inc., 646 So. 2d 585, 587 (Ala. 1994) (setting the four-part preliminary injunction standard: likelihood of success on the merits, irreparable injury, balance of equities, and public interest).

COUNT III: JUDICIAL ESTOPPEL BASED ON SWORN HOMESTEAD FILINGS

28. Plaintiff incorporates Paragraphs 1 through 27 as though fully set forth herein.

29. Under Alabama law, judicial estoppel bars a party from asserting a position that is directly contrary to a position the same party previously asserted under oath or its equivalent, where the party derived an unfair advantage from the earlier position. *Ex parte First Alabama Bank*, 883 So. 2d 1236, 1244-45 (Ala. 2003) (adopting the three-part test of *New Hampshire v. Maine*, 532 U.S. 742, 750-51 (2001)); *Middleton v. Caterpillar Indus., Inc.*, 979 So. 2d 53, 60-61 (Ala. 2007) (restating the *First Alabama Bank* test).

29A. The three elements of Alabama judicial estoppel are established here as a matter of law. First, Defendant Tuberville, together with his spouse Suzanne Marie Tuberville, asserted in the 2018 Walton County homestead exemption application that his "permanent residence" on January 1, 2018 was 395 Old Beach Road, Santa Rosa Beach, Florida. That sworn statement was made under penalty of perjury under Fla. Stat. § 837.06. Second, Defendant Tuberville derived a

direct pecuniary benefit from that sworn statement, the exempt tax on the Old Beach Road parcel, applied against every non-school taxing authority ($50,000 exemption) and each school district ($25,000 exemption). Third, Defendant Tuberville now asserts before this Court, before the Alabama Secretary of State, and before the electors of Alabama a position directly contrary to the 2018 homestead filing, namely, that he was a continuous Alabama "resident citizen" throughout the Seven-Year Window.

30. The Walton County, Florida homestead exemption application is sworn under penalty of perjury under Florida law and may be claimed only by a Florida resident whose permanent residence is on the parcel claimed. Fla. Const. Art. VII, § 6; Fla. Stat. § 196.012; Fla. Stat. § 196.031(1)(a). By claiming and receiving the 2018 Florida homestead exemption on the Old Beach Road parcel, Defendant Tuberville and Suzanne Marie Tuberville obtained a direct pecuniary benefit, the reduction of Florida ad valorem tax liability by the amount of the exemption applied against every non-school taxing authority and each school district. Alabama courts have repeatedly held that a party who benefits from a sworn tax filing is judicially estopped from later disclaiming that filing when convenient to a different objective. Ex parte First Alabama Bank, 883 So. 2d at 1244-45; Middleton, 979 So. 2d at 60-61.

31. The 2018 Florida homestead exemption filing is directly contrary to the position Defendant Tuberville now advances before this Court, before the Alabama Secretary of State, and before the electors of the State of Alabama, namely, that Defendant Tuberville has been a continuous Alabama "resident citizen" throughout the Seven-Year Window (November 3, 2019 through November 3, 2026). Defendant Tuberville cannot both assert (as he did to Walton County in 2018) that his permanent Florida residence was on January 1, 2018 the Old Beach Road parcel, and now assert (as he must to satisfy Article V, Section 117) that he was a continuous Alabama

resident citizen during that same period. The two positions are irreconcilable as a matter of law under Fla. Stat. §§ 196.031(5) (2018) and 196.161(1)(b) (Florida homestead exemption is unavailable, and previously-granted exemptions are subject to statutory claw-back with 50% penalty and 15% interest, if the claimant claims a residency-based exemption in another state) and under Ala. Code § 40-9-19 (Alabama H1 homestead requires primary Alabama residence).

32. Defendant Tuberville is judicially estopped, under Ex parte First Alabama Bank, Middleton, and Mitchell v. Kinney, from repudiating whichever of two irreconcilable sworn positions best serves his current electoral ambition. If Defendant is bound by the 2018 Florida homestead filing, his Florida domicile as of January 1, 2018 is documentarily established and, under Ex parte Weissinger, 22 So. 2d at 514, and Nora v. Nora, 494 So. 2d at 18, is presumed to continue until affirmatively abandoned and replaced by a new domicile elsewhere. The record establishes no such affirmative abandonment occurred by November 3, 2019, when the Seven-Year Window opened. Defendant Tuberville remained an active Florida registered voter through March 20, 2020 (four and one-half months into the window); held an active Florida Class E Driver License through February 20, 2023 (thirty-nine months into the window); and, by the September 23, 2019 Form 40 Part-Year return filed under his name as taxpayer of record, it is established that he was not an Alabama resident from January 1, 2018 through July 31, 2018. On this record, continuous Alabama residency for the full Seven-Year Window is not satisfied, and Article V, Section 117 bars his candidacy. If Defendant repudiates the 2018 Florida homestead filing, that filing constitutes actionable homestead fraud under Florida Statutes Section 196.161, subject to (i) a retroactive lien against the Old Beach Road parcel for the full amount of exempted taxes for up to 10 tax years, (ii) a 50 percent civil penalty, and (iii) 15 percent per annum interest, and directly

calls into question Defendant's fitness to hold Alabama constitutional office. In either alternative, the constitutional seven-year Alabama residency requirement is not satisfied.

32A. Consequences under Florida Statute Section 196.161 are calculable from the documentary record. Ten years of retroactive lien exposure (tax years 2016 through 2025) at the assessed value reflected in the certified Walton County tax bills, combined with the 50 percent civil penalty and 15 percent per annum interest, produces a monetary exposure to the Tubervilles in a range that is itself probative of Defendant Tuberville's motivation to conceal or restructure his residency record on the eve of the campaign, including the July 22, 2025 dual sworn "not homestead" deed recitals to the POB Revocable Trust described in Paragraph 14E above.

33. Because the Walton County, Florida homestead exemption forms are public records maintained by a Florida county property appraiser, and because the H1-through-H4 sequence pleaded in Paragraphs 10, 10A, 10B, and 10C is documented on the face of Alabama county records that are not in genuine dispute, Plaintiff is entitled to judgment on Count III as a matter of law upon summary judgment, without reference to any disputed question of intent or credibility. Ala. R. Civ. P. 56; Ex parte First Alabama Bank, 883 So. 2d at 1244-45.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Ken McFeeters respectfully prays that this Honorable Court enter judgment in his favor and grant the following relief:

A. DECLARE, pursuant to Alabama Code Section 6-6-222, that Defendant Thomas H. Tuberville does not satisfy the seven-year continuous residency requirement of Article V, Section 117 of the Alabama Constitution and is therefore ineligible to hold or to be certified as a candidate for the Office of Governor of Alabama;

B. DECLARE, pursuant to Ex parte First Alabama Bank, 883 So. 2d 1236 (Ala. 2003), that Defendant Thomas H. Tuberville is judicially estopped from asserting continuous Alabama residency across the November 3, 2019 through November 3, 2026 Seven-Year Window by reason of the sworn 2018 Walton County, Florida homestead exemption filing on the Old Beach Road parcel described in Paragraph 14C above;

C. ENJOIN Defendant Wesley Harrison Allen, in his official capacity as Secretary of State of Alabama, from certifying Defendant Thomas H. Tuberville to the November 3, 2026 General Election ballot as the Republican nominee for Governor of Alabama;

D. DIRECT Defendant Wesley Harrison Allen, in his official capacity, to strike the name of Defendant Thomas H. Tuberville from the November 3, 2026 General Election ballot, and to take all necessary administrative steps to effect such removal, prior to August 19, 2026;

E. EXPEDITE consideration of this matter pursuant to Naftel v. State ex rel. Driggars, 361 So. 3d 751 (Ala. 2022), by (i) shortening the time for responsive pleading to seven (7) days after service, (ii) shortening the time for response to written discovery to seven (7) days after service, (iii) directing completion of all depositions within fourteen (14) days after service, with such depositions sequenced as follows: Suzanne Marie Tuberville and Thomas Tucker Tuberville as non-party witnesses under Alabama Rule of Civil Procedure 45 on Thursday, August 6, 2026, and Defendant Thomas Hawley Tuberville as a party witness under Alabama Rule of Civil Procedure 30 on Friday, August 7, 2026, so as to complete all depositions no later than August 7, 2026 and preserve twelve (12) days for expedited motion practice, ruling, and Secretary of State ministerial action prior to the August 19, 2026 statutory substitution deadline under Alabama Code Section 17-13-23, and (iv) setting trial or dispositive motion hearing on the merits no later than Friday, August 14, 2026 to permit judgment on the merits

and Secretary of State ministerial action in advance of the August 19, 2026 statutory substitution deadline;

F. AWARD Plaintiff his costs incurred in this action; and

G. GRANT such other and further relief as this Court deems just and proper.

INCORPORATED DOCUMENTARY EXHIBITS

Plaintiff incorporates by reference, as if fully set forth herein, the following documentary exhibits filed contemporaneously with this Verified Complaint in the companion Exhibit Binder titled McFeeters v. Tuberville Exhibit Binder. Each exhibit is a true and correct copy of an official public record, certified filing, or other source document. Exhibits are numbered in the order of first mention in the Verified Complaint. Exhibit 19, the certified June 14, 2026 Alabama Republican Party hearing transcript, internally preserves the 1 through 16 ALGOP exhibit numbering used at that hearing.

Exhibit 1. Final Order dated July 9, 2026 in State of Alabama ex rel. Brooke Lynn Dorgan and Justin Jude LeBlanc v. Thomas H. Tuberville, Case No. CV-2026-901053.00, Circuit Court of Montgomery County, Alabama, Hon. Brooke E. Reid, Circuit Judge (¶5A, ¶7).

Exhibit 2. Lee County, Alabama Revenue Commissioner certified Real Property Assessment Sheets for the Cherry Street parcel (Parcel 09-09-29-1-000-262.000, PPIN 73546, Accounts 128055 and 167280), 379 Cherry Street, Auburn, Alabama 36830, for tax years 2018, 2023, 2024, and 2025, together with the certified owner-history table documenting the March 30, 2017 warranty deed (Lee County Book 2508, Page 612) conveying the parcel to Tucker Tuberville and Suzanne Marie Tuberville only, with Defendant Tuberville expressly omitted from the grantee designation, the May 7, 2024 quitclaim deed (Lee County Book 2720, Page

391, Instrument No. 5008051) adding Defendant Tuberville to the record grantee designation, and the June 20, 2025 conveyance to the POB Revocable Trust (Lee County Book 2757, Page 828, Instrument No. 5124780) (¶10).

Exhibit 3. Lee County, Alabama Revenue Commissioner's certified 2025 Property Record Card and certified paid tax receipts and comprehensive Payment History for the Cherry Street parcel (PPIN 073546, Parcel 09-09-29-1-000-262.000), including the current H4 status on Account No. 167280, certified single-page paid tax receipts for tax years 2023, 2024, and 2025 issued by Oline W. Price, Lee County Revenue Commissioner, and the certified comprehensive Payment History covering tax years 2018 through 2025. The record reflects the continuous H1 Regular Homestead Exemption on Account 128055 in the name of Thomas Tucker Tuberville and Suzanne Marie Tuberville from tax year 2018 through tax year 2024, the November 14, 2025 reclassification to the H4 Senior Homestead Exemption on Account 167280, and the November 14, 2025 tax-year 2025 payment of $1,258.35 posted under the name "THOMAS TUBERVILLE" (Trans/Pay 3125854/628072) (¶10, ¶10A, ¶10A-1, ¶10B, ¶10C).

Exhibit 4. Alabama Department of Revenue Administrative Rule 810-4-1-.23 and reference materials setting forth statutory eligibility, residency, and primary-owner-occupancy requirements for H1, H2, H3, and H4 exemptions under Alabama Code Sections 40-9-19 through 40-9-21 (¶10A, ¶10B).

Exhibit 5. Alabama Form 40 (Residents and Part-Year Residents) Individual Income Tax Return filed by Defendant Tuberville on September 23, 2019 for tax year 2018, with the “Part Year” residency box checked and residency dates entered as “From 8-1 through 12-31, 2018,” reporting Alabama adjusted gross income of $37,816 against federal adjusted gross income of

$132,330, together with Ex. 5A, contemporaneous Lagniappe reporting analyzing the Form 40 barcode data, (¶12, ¶12A).

Exhibit 6. Certified 2018 Walton County Notice of Ad Valorem Tax for the Old Beach Road parcel (Folio 1016041, Account No. HSP1-19-00051545), reflecting on its face "EXEMPTIONS APPLIED: H3, HX," a $50,000 exemption applied to every non-school taxing authority and a $25,000 exemption applied to each school district line item, with parcel titled to "TUBERVILLE THOMAS HAWLEY & TUBERVILLE SUZANNE" and mailing address 395 Old Beach Road, Santa Rosa Beach, FL 32459, the single sworn Florida-homestead filing on which Count III judicial estoppel primarily relies (¶12, ¶14C, ¶14D, Count III ¶¶29-33).

Exhibit 7. Florida Department of State, Division of Elections letter dated June 3, 2026 signed by Susan Bush, Regulatory Program Administrator, certifying Defendant Tuberville's Florida voter registration May 24, 2017 through March 20, 2020, and the November 6, 2018 Florida General Election vote by mail from Walton County (¶12, ¶16).

Exhibit 8. Current Walton County, Florida Property Appraiser filing for the Old Beach Road parcel (Walton Parcel No. 11-3S-20-34020-000-0140), reflecting BYVW 211, LLC ownership 2004-2012 and Tuberville ownership 2012-2025 (¶13, ¶14).

Exhibit 9. MLS listing record No. 981580 for the Ridge Road parcel, listed February 6, 2026 at $1,055,000 with the listing field "Homestead: No," together with the Emerald Coast Association of Realtors MLS printout showing the listing date and price, and reference materials establishing that the listing was published two days after the January 23, 2026 close of Alabama Republican Party candidate qualifying and 102 days before the May 19, 2026 Republican Primary Election (¶13, ¶14F).

Exhibit 10. Georgia Secretary of State corporate record for BYVW 211, LLC (Control No. 0458095), including Filing No. 683078 (Articles of Organization, September 30, 2004), Filing No. 6572926 (Administrative Dissolution, May 16, 2008), Filing No. 11970493 (Reinstatement Application signed by Suzanne Tuberville, May 30, 2012, reinstatement effective June 26, 2012), and Filing No. 12265383 (Final Administrative Dissolution, December 31, 2015) (¶14, ¶14A).

Exhibit 11. Corporate Warranty Deed dated July 31, 2012 (Walton County CFN 1204003, OR Book 2896, Page 2685), conveying the Old Beach Road parcel from BYVW 211, LLC to Defendant Tuberville and Suzanne Marie Tuberville, executed by Suzanne Marie Tuberville as Manager of the grantor LLC (¶14A-1).

Exhibit 12. Warranty Deed (Statutory Form, Fla. Stat. § 689.02) dated July 7, 2023, executed by Daniel T. LaTour and Sarah E. LaTour, conveying the Ridge Road parcel (Walton Parcel No. 03-3S-20-34221-000-0050) to "Thomas Hawley Tuberville and Suzanne M. Tuberville, husband and wife, whose address is 395 Old Beach Road, Santa Rosa Beach, Florida 32459," recorded July 11, 2023 in Walton County, Florida as Instrument No. 20230024285, Book 3295, Page 1257, with $5,775.00 documentary stamp tax paid on a stated consideration of $825,000.00 (¶14B-1, ¶14E-1).

Exhibit 13. Tallapoosa County and Macon County, Alabama recorded instruments authenticating the Tuberville family's Alabama real-property divestment pattern from April 2001 through July 2023, consisting of: (13-A) April 19, 2001 Statutory Warranty Deed from Marin Properties, L.L.C. to Thomas H. and Suzanne M. Tuberville (Recording Card No. 159935); (13-B) September 5, 2018 Warranty Deed With Right of Survivorship from Thomas H. and Suzanne M. Tuberville to Rodney Q. and Dorita A. Boyer (Doc. No. 326599); (13-C)

September 13, 2018 Release of Mortgage by Southern States Bank of the October 20, 2008 mortgage (Doc. No. 326788); (13-D) September 24, 2018 Release of Mortgage by MERS as nominee for Colonial Bank, N.A., of the September 29, 2006 $735,000 mortgage (Doc. No. 327005); and (13-E) July 21, 2023 General Warranty Deed With Right of Survivorship from Tiger Farms, LLC to William P. and Erica C. Ware (Doc. No. 373349, signed by Thomas H. Tuberville, Suzanne M. Tuberville, and Eddie Gran as the three Members of the Grantor LLC, with Grantor address on the Real Estate Sales Validation Form stated as 379 Cherry Street, Auburn, Alabama 36830), for consideration of $1,075,000 covering the Tuberville family's Alabama farmland holdings in Tallapoosa and Macon Counties (¶¶ 14D-1, 14D-2).

Exhibit 14. Special Warranty Deeds dated June 20, 2025 and recorded July 22, 2025 at 10:09 AM in Walton County (Instrument Nos. 20250025701 and 20250025702; Book 3365, Pages 1473 and 1477), transferring both Florida parcels to Suzanne M. Tuberville as Trustee of the POB Revocable Trust, each containing the sworn recital "This property is not the homestead real property of Grantor," together with the POB Revocable Trust Agreement dated October 28, 2024 (¶14C-1).

Exhibit 15. Walton County Tax Collector certified ad valorem tax notices for the Old Beach Road parcel (Parcel 11-3S-20-34020-000-0140), tax years 2008 through 2025, reflecting the owner-directed mailing-address sequence submitted to the Walton County Tax Collector across an eighteen-year period (Auburn, Alabama 2008-2009; Lubbock, Texas 2010-2012; Cincinnati, Ohio 2013-2014; Covington, Kentucky 2015-2016; Santa Rosa Beach, Florida 2017 through 2025), with the 2018 H3/HX Florida homestead thereafter stripped for tax years 2019 through 2025.

Exhibit 16. Walton County Tax Collector certified ad valorem tax notices for the Ridge Road parcel (Parcel 03-3S-20-34221-000-0050), tax years 2023 through 2025, each mailed to 395 Old Beach Road, Santa Rosa Beach, Florida 32459, and each reflecting no Alabama mailing address of record during Defendant Tuberville's United States Senate term.

Exhibit 17. Madison County, Alabama Property Appraiser and Madison County Revenue Commissioner certified Property Record Card and Tax History for PIN 572379 (Parcel 25-05-16-0-000-005.187, 124 Williamette Drive, Madison, Alabama 35756), together with the January 26, 2024 warranty deed from Stone Martin Builders, LLC to Troy Tuberville and Thomas Hawley Tuberville evidencing joint acquisition, reflecting Alabama H1 Regular Homestead held jointly by Troy Allen Tuberville and Thomas Hawley Tuberville, with tax year 2025 ad valorem levy paid by "Tuberville Troy" personally on October 16, 2025.

Exhibit 18. Alabama Secretary of State certified voter registration record for Defendant Tuberville issued June 12, 2026, showing initial Alabama voter registration on March 28, 2019 and the March 3, 2020 Alabama Presidential Preference Primary vote (¶16C).

Exhibit 19. Florida Department of Highway Safety and Motor Vehicles Class E Driver License record for Defendant Tuberville, valid through February 20, 2023, evidencing sworn Florida residency certification under Fla. Stat. § 322.01(36) for a period covering approximately thirty-nine months of the Seven-Year Window (¶16B).

Exhibit 20. Certified transcript of the June 14, 2026 Alabama Republican Party Candidate Committee hearing, prepared and certified by Amber D. Pritchett, CRR/RPR, together with the ALGOP Hearing Exhibits (¶16E, ¶17A, ¶18, ¶18A, ¶18B).

Exhibit 21. Alabama Secretary of State published guidance titled "Minimum Qualifications for Public Office" (Internet Archive capture dated August 12, 2023), setting forth the minimum age, state-residency, U.S. citizenship, and registered-voter requirements applicable to candidates for U.S. Senate, U.S. House of Representatives, Governor, Lieutenant Governor, and other Alabama public offices (¶17).

Exhibit 22. Certified public-records composite on 379 Cherry Street occupancy, H-1 homestead-exemption chain, Tucker Tuberville employment and address history, Cannon-family Alabama real-estate entity records, and related Alabama Secretary of State and Florida Department of State business-entity records, consisting of: (22-A) Intelius report for Sarah A. Butler; (22-B) Intelius report for Suzanne Marie Tuberville; (22-C) Intelius report for Thomas Tucker Tuberville, including 463 Ridge Road, Santa Rosa Beach, Florida 32459 residential address of record from June 1, 2023 to the date of Plaintiff's verification of this Complaint; (22-D) Intelius parcel report for 379 Cherry Street, Auburn, Alabama; (22-E) Intelius report for Jonathon Houston Hull; (22-H) Certified LinkedIn profile and employment history of Thomas Tucker Tuberville (Sandler O'Neill/Piper Sandler/Goldman Sachs, New York, June 2018 - April 2023; Triple T Ventures, October 2023 - April 2024; 280 Partners, Founding Partner, May 2024 - present); (22-K) Intelius report for Douglas R. Cannon; (22-L) Florida Department of State, Division of Corporations certified record for 280 Partners LLC (Document No. L24000288537), including 2025 and 2026 Annual Reports; (22-M) Alabama Secretary of State certified Business Entity Record for Annalue Village, L.L.C.; (22-N) Alabama Secretary of State certified Business Entity Record for Cannon Family Properties, LLC; (22-O) Alabama Secretary of State certified Business Entity Record for Annalue Village Homeowners Association; (22-P) Alabama Secretary of State certified Business

Entity Record for Tiger Farms, LLC; (22-Q) Alabama Secretary of State certified Business Entity Record for KTT, LLC; and (22-R) Tucker Tuberville pre-seven-year-window Realtor.com Professional Biography for Hayley Enterprises LLC, 1695 E. University Drive, Auburn, Alabama 36830.

VERIFICATION

STATE OF ~~ALABAMA~~ Florida (BB) / COUNTY OF Okaloosa

I, Ken McFeeters, being first duly sworn, depose and state that I am the Plaintiff in the above-styled action; that I have read the foregoing Verified Complaint for Declaratory Judgment, Injunctive Relief, and Judicial Estoppel; and that the facts therein stated are true and correct to the best of my knowledge, information, and belief.

Ken McFeeters, Plaintiff

Sworn to and subscribed before me this 10 day of July, 2026.

Notary Public
My commission expires: Aug 14 2030

BENJAMIN BARRY
Notary Public-State of Florida
Commission # HH 817551
My Commission Expires
August 14, 2030

Respectfully submitted,

Ken McFeeters
Plaintiff, Pro Se
Jefferson County, Alabama

Plaintiff appears pro se and reserves the right to engage limited-scope representation for depositions and trial on the merits.

ELECTRONICALLY FILED
7/28/2026 9:51 PM
01-CV-2026-903312.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BIRMINGHAM DIVISION

CIVIL CASE COVER SHEET

(Companion to Alabama Form ARCiv-93)

This cover sheet is filed as a companion to the Verified Complaint in the action captioned above. The official Alabama Administrative Office of Courts Form ARCiv-93 (Cover Sheet, Circuit Court, Civil Cases, Rev. 9/25) is filed contemporaneously as the operative civil cover sheet in the AlaFile system at https://efile.alacourt.gov. This companion cover sheet supplies additional case-management detail beyond the four-letter nature-of-suit code required on ARCiv-93.

Respectfully submitted this 28th day of July, 2026.

/s/ Ken McFeeters

_____

Ken McFeeters
Plaintiff, Pro Se
3408 Lorna Lane
Birmingham, Alabama 35216
Telephone: (205) 243-1815
Email: ken35216@yahoo.com
Alabama Bar No.: N/A (pro se)

KEN McFEETERS,	)
Plaintiff,	)
	) Civil Action No.:
v.	) 01-CV-2026-_____

	)
THOMAS HAWLEY TUBERVILLE,	) **JURY TRIAL DEMANDED**
individually and in his official capacity	)
as the certified nominee of the Alabama	)
Republican Party for the office of Governor;	)
and WESLEY HARRISON ALLEN, in his	)
official capacity as Secretary of State of	)
Alabama,	)
Defendants.	)

PLAINTIFF	Ken McFeeters
PLAINTIFF COUNTY OF RESIDENCE	Jefferson County, Alabama
PLAINTIFF, PRO SE	Ken McFeeters 3408 Lorna Lane Birmingham, Alabama 35216 Telephone: (205) 243-1815 Email: ken35216@yahoo.com
DEFENDANT 1	Thomas Hawley Tuberville, individually and in his official capacity as the certified nominee of the Alabama Republican Party for the office of Governor of Alabama
DEFENDANT 1 COUNTY OF RESIDENCE	Lee County, Alabama (claimed by Defendant); actual domicile contested in this action.
DEFENDANT 1 SERVICE ADDRESS	c/o Joe Espy, III, Esq. (Alabama Bar No. ESP002), Melton, Espy & Williams, P.C., P.O. Drawer 5130, 255 Dexter Avenue, Montgomery, Alabama 36103-5130 (counsel of record for Defendant Tuberville in the parallel Dorgan-LeBlanc proceeding, Case No. CV-2026-901053.00, Circuit Court of Montgomery County), if counsel accepts service in writing; otherwise personal service under Ala. R. Civ. P. 4(c)(1) at the Auburn, Alabama residence claimed by Defendant.
DEFENDANT 2	Wesley Harrison Allen, in his official capacity as Secretary of State of Alabama
DEFENDANT 2 SERVICE ADDRESS	Office of the Secretary of State, 600 Dexter Avenue, Suite S-105, Montgomery, Alabama 36130 (personal service under Ala. R. Civ. P. 4(c)(6)).
KNOWN COUNSEL FOR DEFENDANT TUBERVILLE	Joe Espy, III (Alabama Bar No. ESP002), Melton, Espy & Williams, P.C., P.O. Drawer 5130, 255 Dexter Avenue, Montgomery, Alabama 36103-5130; Telephone (334) 263-6621; Email jespy@mewlegal.com. Counsel of record for Defendant Tuberville in the parallel Dorgan-LeBlanc proceeding, Case No. CV-2026-901053.00, Circuit Court of Montgomery County.

	Notice of appearance in this action to be entered upon service.
COUNSEL FOR DEFENDANT ALLEN	Office of the Attorney General of Alabama and/or in-house counsel for the Secretary of State, to be entered upon service.
CASE NUMBER	01-CV-2026-_____ (to be assigned by the Clerk)
DATE FILED	July 28, 2026
NATURE OF SUIT (PRIMARY)	EQND - Equity Non-Damages Actions / Declaratory Judgment / Injunction / Election Contest (Form ARCiv-93). Declaratory judgment, permanent injunctive relief, and judicial estoppel concerning candidate eligibility for the Office of Governor of Alabama under Article V, Section 117 of the Alabama Constitution.
COUNTS PLEADED	Count I. Declaratory Judgment (Ala. Code Sec. 6-6-220 et seq.; Ala. R. Civ. P. 57). Count II. Injunctive Relief (Ala. Code Sec. 6-6-223; Ala. R. Civ. P. 65). Count III. Judicial Estoppel Based on Sworn Homestead Filings (Alabama and Florida homestead exemption filings).
NATURE OF SUIT (SECONDARY)	Election law; ballot certification; candidate qualification.
STATUTORY BASIS	Ala. Const. Art. V, Sec. 117; Ala. Code Sec. 6-6-220 through Sec. 6-6-232 (Uniform Declaratory Judgments Act); Ala. Code Sec. 17-13-23 (candidate substitution deadline); Ala. R. Civ. P. 57 (declaratory judgment procedure); Ala. R. Civ. P. 65 (injunctions).
JURY DEMAND	Yes. Jury trial demanded in the caption of the Verified Complaint. Ala. R. Civ. P. 38.
AMOUNT IN CONTROVERSY	Not applicable. Equitable and declaratory relief only. No money damages sought.
EXHIBITS	Twenty-two (22) documentary exhibits (Ex. 1 through Ex. 22) filed contemporaneously in a Combined Exhibit Binder incorporated by reference under Ala. R. Civ. P. 10(c).
VERIFICATION	Verified Complaint executed by Ken McFeeters and notarized on July 10, 2026 in Okaloosa County, Florida, before Benjamin Barry, Florida Notary Commission No. HH 817551 (expiration August 14, 2030). Verification page appended as the final page of the Verified Complaint.
RELATED CASES	State of Alabama ex rel. Dorgan and LeBlanc v. Tuberville and Alabama Republican Party, Case No. CV-2026-901053.00, Circuit Court of Montgomery County, Alabama, before the Honorable Brooke E. Reid. On July 9, 2026, Judge Reid entered

	an Order rejecting the Ala. Code Section 17-16-44 exclusivity defense and confirming circuit-court subject-matter jurisdiction over constitutional-eligibility challenges to the same Defendant Tuberville. The Reid Order is attached to the Verified Complaint as Exhibit 1 and is directly on point on the threshold jurisdictional question.
EXPEDITED CONSIDERATION REQUESTED	Yes. A separately captioned Motion for Expedited Consideration is filed concurrently herewith. The August 19, 2026 statutory substitution deadline under Ala. Code Section 17-13-23 and the November 3, 2026 General Election together require merits adjudication and final judgment on or before August 17, 2026.

ELECTRONICALLY FILED
7/28/2026 9:51 PM
01-CV-2026-903312.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BIRMINGHAM DIVISION

PLAINTIFF'S MOTION FOR EXPEDITED CONSIDERATION

Plaintiff Ken McFeeters, pursuant to Rules 42(b), 57, and 65 of the Alabama Rules of Civil Procedure and the Court's inherent authority to control its docket in matters of urgent public importance, respectfully moves this Court for an Order setting an expedited schedule for the adjudication of the three counts pleaded in the Verified Complaint, namely, Count I (Declaratory Judgment under Ala. Code Section 6-6-220 et seq.), Count II (Injunctive Relief under Ala. Code Section 6-6-223 and Ala. R. Civ. P. 65), and Count III (Judicial Estoppel Based on Sworn Homestead Filings). In support, Plaintiff states as follows.

I. STATUTORY DEADLINE COMPELLING EXPEDITION

1. Ala. Code Section 17-13-23, as amended by Act 2014-6, provides that the State Executive Committee of a political party may certify a substitute nominee to the Secretary of State to fill a nomination vacancy only if certification is made no later than seventy-six (76) days before the general election. The 2026 general election is set for Tuesday, November 3, 2026. Seventy-six days before that date is Wednesday, August 19, 2026.

2. This action was filed on July 28, 2026. Twenty-two (22) days separate the filing date and the August 19, 2026 statutory substitution deadline. Absent expedited consideration, the ordinary time periods for responsive pleadings under Ala. R. Civ. P. 12 (thirty days), discovery under Rule 26 et seq., and dispositive motion practice will consume the entirety of the substitution window and render the requested declaratory relief practically moot.

3. If this Court reaches a final judgment on Defendant Tuberville's seven-year Alabama residency under Article V, Section 117 of the Alabama Constitution on or before Monday, August 17, 2026, then two (2) business days remain before the August 19 substitution deadline, sufficient for the Alabama Republican Party State Executive Committee to convene and certify a substitute nominee and for the Secretary of State to prepare general-election ballots on time.

4. If no judgment issues before August 19, 2026, no substitution is statutorily permitted. Defendant Tuberville's name will appear on every general-election ballot regardless of any disqualifying fact later established. The injury to Plaintiff, to the Alabama Republican Party electorate, and to the integrity of the constitutional residency requirement would be irreversible.

II. DIRECTLY CONTROLLING PRECEDENT AND MERITS-READY POSTURE

5. On July 9, 2026, in State of Alabama ex rel. Dorgan and LeBlanc v. Tuberville, Case No. CV-2026-901053.00, the Honorable Brooke E. Reid of the Montgomery County Circuit Court entered an Order rejecting the identical Ala. Code Section 17-16-44 exclusivity defense that Defendant Tuberville, through his same counsel of record, asserted in that parallel proceeding. The Reid Order was entered in a matter brought by veteran plaintiffs asserting parallel constitutional-eligibility grounds against the same Defendant Tuberville. The Reid Order is directly on point on the threshold jurisdictional question this Court will confront if the Section 17-16-44 defense is asserted here, and is attached to the Verified Complaint as Exhibit 1. It eliminates the principal basis on which Defendants would otherwise seek delay.

6. The factual record in this action is documentary and closed. Plaintiff's Verified Complaint attaches twenty-two (22) exhibits, all drawn from primary-source public records: certified Alabama and Florida property records; Alabama and Florida voter-registration records; Alabama Department of Revenue Form 40 filings; the July 9, 2026 Order of the Honorable Brooke E. Reid; the July 22, 2025 Special Warranty Deeds transferring the Auburn parcel to Point of Beginning LLC entities; Florida Department of Business and Professional Regulation licensure records; Alabama Secretary of State minimum-qualifications guidance; and the certified transcript of the June 14, 2026 Alabama Republican Party State Executive Committee Candidate Committee hearing. The exhibits speak for themselves. The case does not require complex fact development or expert-witness discovery to be adjudicated on the merits.

7. The Verified Complaint is sworn under penalty of perjury. Plaintiff Ken McFeeters executed the Verification on July 10, 2026 in Okaloosa County, Florida before Benjamin Barry, Florida Notary Commission No. HH 817551 (expiration August 14, 2030). Every factual allegation in the Verified Complaint is thereby placed under oath and admissible at any hearing on this Motion or on the merits.

8. The Alabama Supreme Court has repeatedly recognized that election-related declaratory-judgment actions require expedited treatment where a statutory deadline governs. See Ex parte Naftel, 763 So. 2d 964, 967 (Ala. 2000) (declaratory-judgment action on candidate qualification is the appropriate vehicle and requires prompt disposition). See also Osborn v. Roche, 813 So. 2d 811 (Ala. 2001) (election-eligibility challenge properly heard on expedited basis before ballot certification). This action fits the Naftel and Osborn framework precisely.

III. REQUESTED EXPEDITED SCHEDULE

9. Plaintiff respectfully requests that this Court enter an Order setting the following schedule:

a. Defendants shall answer or otherwise respond to the Verified Complaint on or before Wednesday, August 5, 2026 (seven (7) days from service of the Verified Complaint on Wednesday, July 29, 2026);

b. Discovery on the Article V, Section 117 residency question shall be permitted on an expedited basis, with all written discovery served on or before Wednesday, July 29, 2026, and responses due within seven (7) days of service. Consistent with the deposition schedule pleaded in the Verified Complaint, Suzanne Marie Tuberville and Thomas Tucker Tuberville shall be deposed as non-party witnesses under Alabama Rule of Civil Procedure 45 on Thursday, August 6, 2026, and Defendant Thomas Hawley Tuberville shall be deposed as a party witness under Alabama Rule of Civil Procedure 30 on Friday, August 7, 2026. This sequence provides nine (9) days of Rule 45 notice to the non-party witnesses, completes all depositions ten (10) days after filing, and preserves twelve (12) days between the final deposition and the August 19, 2026 statutory substitution deadline under Alabama Code Section 17-13-23 for expedited transcript production, motion for summary judgment briefing, judicial ruling on the merits, and Secretary of State ministerial action;

c. Any dispositive motion by any party shall be filed on or before Monday, August 10, 2026, with any opposition due Wednesday, August 12, 2026 and any reply due Thursday, August 13, 2026;

d. This Court shall conduct a merits hearing, if any is required, on or before Friday, August 14, 2026, and shall enter final judgment on or before Monday, August 17, 2026, so that any party may seek appellate review, and the Alabama Republican Party State Executive Committee may act on any resulting nomination vacancy, in time to meet the August 19, 2026 statutory deadline under Ala. Code Section 17-13-23.

IV. GOOD CAUSE AND ABSENCE OF PREJUDICE

10. Plaintiff Ken McFeeters has actively contested Defendant Tuberville's constitutional eligibility since January 27, 2026, when Plaintiff filed a formal candidate challenge with the Alabama Republican Party pursuant to ALGOP Bylaws and Article V, Section 117 of the Alabama Constitution. That challenge was summarily dismissed by the ALGOP Candidate Committee on February 2, 2026 as "facially deficient" without substantive review of the residency evidence. Plaintiff filed a formal appeal on February 17, 2026, which was likewise denied. Plaintiff has pursued this constitutional question continuously across three separate ALGOP proceedings and one prior lawsuit spanning more than six (6) months preceding the filing of this Verified Complaint. This action is not a last-minute or dilatory challenge; it is the culmination of a sustained, documented, and public effort to enforce the eligibility requirements of the Alabama Constitution against a candidate whose Alabama residency has been questioned by multiple journalists and by the plaintiff-relators in *State of Alabama ex rel. Dorgan and LeBlanc v. Tuberville*, Case No. CV-2026-901053.00 (Montgomery Cty. Cir. Ct.), which is now pending on expedited review before the Alabama Supreme Court.

11. The public interest strongly favors expedition. The August 19, 2026 statutory substitution deadline is a legislative determination that ballot-integrity questions of this nature must be resolved in time to permit party substitution and orderly ballot printing. That legislative judgment weighs decisively in favor of expedition, not delay. See Ala. Code Section 17-13-23; Reid Order (July 9, 2026), attached to Verified Complaint as Exhibit 1.

12. The relief requested is narrowly tailored to the statutory deadline. Plaintiff seeks only such expedition as is necessary to obtain a merits ruling in time for the Alabama Republican Party State Executive Committee to act under Ala. Code Section 17-13-23 if the Court grants declaratory relief.

13. Plaintiff has filed contemporaneously herewith a Motion to Shorten Notice addressing Rule 30(b) and Rule 45(a)(3)(A) notice periods for the August 6, 2026 Rule 45 depositions of Suzanne Marie Tuberville and Thomas Tucker Tuberville and the August 7, 2026 Rule 30 deposition of Defendant Thomas Hawley Tuberville, together with the corresponding Notices of Taking Deposition and Notices of Intent to Serve Subpoena. Nothing in the requested expedited schedule is inconsistent with the Alabama Rules of Civil Procedure.

V. CONCLUSION AND PRAYER

WHEREFORE, Plaintiff Ken McFeeters respectfully requests that this Court enter an Order granting expedited consideration of this action on the schedule set forth in Paragraph 9 above, and granting such other and further relief as the Court deems just and proper.

Respectfully submitted this 28th day of July, 2026.

_/s/ Ken McFeeters_____
Ken McFeeters
Plaintiff, Pro Se
3408 Lorna Lane
Birmingham, Alabama 35216
Telephone: (205) 243-1815
Email: ken35216@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of July, 2026, I served the foregoing Motion for Expedited Consideration on the following by U.S. Certified Mail, Return Receipt Requested, with courtesy copies transmitted by electronic mail the same day:

Thomas Hawley Tuberville
c/o Joe Espy, III, Esq. (ESP002)
William M. Espy, Esq. (ESP007)
Melton, Espy & Williams, P.C.
P.O. Drawer 5130

255 Dexter Avenue
Montgomery, Alabama 36103-5130
jespy@mewlegal.com
wespy@mewlegal.com

Bert L. Jordan, Esq. (JOR002)
Stephen W. Shaw, Esq. (SHA006)
Wallace, Jordan, Ratliff & Brandt, LLC
800 Shades Creek Parkway, Suite 400
Birmingham, Alabama 35209
bjordan@wallacejordan.com
sshaw@wallacejordan.com

Wesley Harrison Allen, in his official capacity
Alabama Secretary of State
600 Dexter Avenue, Suite S-105
Montgomery, Alabama 36130
with additional copy to:
Office of the Attorney General of Alabama
501 Washington Avenue
Montgomery, Alabama 36130

The courtesy email transmission is not intended as a substitute for service under Ala. R. Civ. P. 5(b), which is being effected concurrently by U.S. Certified Mail, Return Receipt Requested. Once Defendants have appeared and consented to electronic service, or once counsel are registered as e-filers in this action, subsequent service will be effected through the AlaFile e-service system pursuant to Ala. R. Civ. P. 5(b)(1)(E).

___/s/ Ken McFeeters_____
Ken McFeeters, Plaintiff Pro Se

3408 Lorna Lane
Birmingham, Alabama 35216

(205) 243-1815

ken35216@yahoo.com

KEN McFEETERS, Plaintiff,	)	
	)	Civil Action No.:
v.	)	01-CV-2026-_____
THOMAS HAWLEY TUBERVILLE, individually and in his official capacity as the certified nominee of the Alabama Republican Party for the office of Governor; and **WESLEY HARRISON ALLEN,** in his official capacity as Secretary of State of Alabama, Defendants.	)	**JURY TRIAL DEMANDED**